TWENTY EAGLE

A blog about the New York Court of Appeals

TwentyEagle Interview of Judge Leslie Stein — Transcript

20: As someone who has served on multiple courts, can you talk to us about what you've perceived as the greatest difference between being a judge on the Appellate Division and the Court of Appeals?

JS: I think the main difference is that the Appellate Division is the first experience in which a judge engages in cooperative writing and decision-making. Perhaps that is the most significant adjustment upon arrival at the mid-level appeals court. Once a judge survives that initiation, I think the biggest difference between the Appellate Division and the Court of Appeals is—for lack of a better term, the 90/10 rule (an approximation of course), That is, while there are certainly novel and interesting questions that are presented to the Appellate Division, 90% of the cases involve settled law, and the Court engages in the application the law to the facts of that particular case. I don't mean to minimize the importance of this process; that's just what it is. Perhaps 10% of the cases before the Appellate Division involve a legal issue that is really novel and complex.

In the Court of Appeals, it's the reverse: We do occasionally get some cases that come to us in various ways—such as appeals as of right—that involve the application of existing law to the particular facts. But the vast majority of the cases that the Court of Appeals hears are complex, novel cases of statewide importance.

Of course, every case is important to the litigants—there is always a person at the end of every decision—but the issues that we confront at the Court of Appeals generally establish a rule of law that will impact many, many more people. Frankly, it is intimidating to contemplate that a commercial case, a criminal matter, or another significant matter before the Court of Appeals is likely to have an impact upon thousands or millions of people— not infrequently with national or international ramifications. That is the main difference.

The other difference, which is a little bit more subtle, is that on the Appellate Division, you sit on different panels, with different combinations of judges. So, there are different personalities, dynamics, and approaches depending on the composition of the panel. Each case is really different in that way, whereas on the Court of Appeals you're deciding every case with the same group of seven people. That's not to say that we're predictable, but it's a different dynamic.

20: Explain that a little bit more. You mentioned the collaborative decision making process. We were going to ask you the difference between making decisions in the Appellate Division context and making decisions on a seven-judge en banc panel.

JS: That's sort of intertwined with the fact that, because of the volume in the Appellate Division, and because of the nature of the cases, the writings are often shorter, and there often is less complexity to them, whereas in the Court of Appeals every one of the Judges spends a significant amount of time on each writing. Much of what is accomplished between court sessions has to do with the negotiation of the language of writings. This is the process: the assigned judge circulates a first draft of the majority writing, and then, usually within a week of that, the dissenting judge, if there is one, will circulate a dissent. But the drafts are examined and edited many times, with input from each judge. And they're very carefully

scrutinized. Sometimes just a word can make a difference, and sometimes a judge may want a writing to articulate something in particular, but another judge on the Court specifically doesn't want the writing to say that. So there's a dynamic among the members of the Court when we address how to compromise and how to express things in a way that's intended to achieve a unanimous Court if possible, but if not unanimous, at least a majority. The author of the dissent will engage in the same process to garner as many judges as possible to join that writing.

20: You started talking about process a little bit, and one thing that's a little opaque to people from the outside is how things work on the inside, and we would love to hear the insider's rundown on the life of a case once the reply brief goes in. Could you run us through that?

JS: Sure, and I have to make a disclaimer: The judges of the Court have wide latitude in how they organize their chambers. Accordingly, my comments relate to how I work in chambers; not every judge is organized the same way.

We are provided with the calendar the session before a case is scheduled to be argued. This affords us considerable lead time. Upon receipt of the calendar, my law clerks divide up the cases for the next session amongst themselves. I read the briefs and as much of the record as may be necessary in every case, whereas the clerks each read a third of them. They do a deep dive into the file, and they do most of the research. So the cases get divided up; everybody reads the written submissions on their cases, and as I said, I read them in all of them.

Following this process, I get a report, which is called a "bench report"—not to be confused with a conference report—from each law clerk on their assigned cases. That report reads like a memorandum of law: it lays out the significant facts and the law, it applies the law to the facts

and it provides a recommendation as to each issue regarding how that law clerk thinks the case should be decided and why. Once I have read the bench report, the assigned law clerk and I have some conversation about the issues, and that report is what I use in addition to my own reading to prepare for oral argument.

One of the things I do—and I don't know if anyone else does this—is that I ask my law clerks to give me a short list of the most important questions they think I should ask at oral argument. It's rare that I will have the opportunity to ask all those questions and I certainly ask questions they don't suggest. But it helps me plan for oral argument.

Next, the day following oral argument, the reporting judge—and that's determined by a "draw" based on a rotation--reports at conference to the other judges. The conference report consists of an analysis of the case and the reporting judge's opinion as to what the result should be. The draw starts on Jan. 1 each year, with the initial assignment to the Chief Judge; then it proceeds in order of seniority. We draw at the end of every session for the following session, but we don't know which case we're going to get; we only know which day we're going to draw a case. So, we don't find out which case we're going to be assigned to report and write until a few days before oral argument.

After the conference report is delivered, the judges of the Court discuss the case and take a preliminary vote. Sometimes it might be, "Well, I agree with the result, but I would approach it a little differently," or, "I wouldn't talk about this in the writing, but I would talk about that." And sometimes it's much briefer than that, just, "I agree with your report, and I'll see how you write it" or "I disagree with your analysis and I will write separately." So, after the preliminary vote, we have an idea whether the decision will be unanimous, whether the reporting judge will be in

the majority and will write the majority opinion, or whether, the reporting judge will be writing a dissent. We sit around the conference table counter-clockwise in order of seniority from the least senior judge to the chief judge. If I'm the reporting judge, the first person sitting to my right at that table who disagrees with me will write either the dissent or the majority writing, depending on how the votes come out.

20: Going to the right is going down seniority?

JS: Generally, to the right is moving up in seniority. However, it depends on who is the reporting judge. For example, if I am reporting at conference, Judge Rivera is to my right; to her right is the Chief Judge; to the Chief Judge's right is the most junior judge. And then it goes up in seniority from there. So, it's very random as to who writes, unlike the U.S. Supreme Court, where, as I understand it, the Chief Justice selects the writer. In my opinion, the randomness and lack of significant advance notice is beneficial because everyone invests the same amount of effort into preparing every case. It reminds me a little bit of law school, where you need to be prepared to argue both sides.

20: As we're talking about the practice and the Court, we wonder what you'll miss most about judging and what you'll miss least.

JS: I can tell you what I'll miss least, which is that my time is never my own. It requires a tremendous devotion of time to be properly prepared for these cases. And what people don't see is the enormous amount of other work that's involved in this entire endeavor, including the writings, as well as reviewing leave applications (motions for leave to appeal). In addition, each judge is assigned to serve on various committees and commissions and to act as liaisons to

various departments of the Court. For example, I'm the liaison to the Library and to the Law Reporting Bureau. I also serve on the Permanent Judicial Commission on Justice for Children and on the Commission to Reimagine the Future of New York's Courts. In addition, I'm the liaison to our central staff, which is our professional staff that assists the judges by preparing reports and recommendations on the civil leave applications. So we are all involved in a variety of Court-related tasks.

To get back to your question—just scheduling time to do other things requires working around the Court Session schedule. When the Court's in session, there's not a minute in the day that is your own. Even during our intersessions, it's a major time commitment. And before Covid, we used to go to a lot of events. With all of that, trying to make travel plans or vacation plans or finding personal time to do much of anything is challenging.

And what am I going to miss the most? Serving on the Court is incredibly stimulating on so many levels: It's academically stimulating. I love analyzing a case with my law clerks or debating an issue with the other judges. I've always characterized myself as a consensus-builder. I love the challenge of trying to achieve consensus. Whether it was settling cases as a lawyer or trying to settle cases as a judge or trying to bring my colleagues on the Court together to reach a consensus—I love doing that. And the court certainly gave me that opportunity. I also love to write. And, of course, I will miss my colleagues and my staff.

20: Turning a bit from judging to advocacy: have you noticed a change in appellate advocacy in New York over the course of your career—more of a focus on appellate specialization within the New York bar?

JS: Well, it's hard to say because I think there is more appellate specialization in the Court of Appeals than there is in the Appellate Division. I probably did see some increase in that even before I left the Appellate Division, so that may be true. I think that appellate practice is just a wonderful field, and I love watching how the skilled advocates present their cases to us and how they respond to our questions. Frankly, I don't know if I could do what they're doing.

20: If there was one thing you could say to the advocates that come up before the Court of Appeals—one pitfall that you could grab people by the lapels and say, "Friend, I see this all the time. Don't do this anymore." What is that?

JS: Two things if I may. One is how to respond and not to respond to the judges' questions. I know this is very difficult to do. Sometimes we throw softballs designed to try to convince our colleagues of something; we're not trying to drill down into someone's argument. And I think they're just so ready, so armed for bear, that they may not sense that, and they start undoing their own argument, or undermining their own argument, when we're trying to help. So, I would encourage advocates to just do the best they can to remain calm, listen to the questions, and try to figure out what the purpose of a question is. I know that sometimes our questions are really difficult, and, from time to time, we present some elaborate hypotheticals. But as far as answering questions, I think the most important thing is to directly answer the question that is asked. There are a lot of ways to do that. Rather than saying—and I have to say that most of the advocates don't do this—but rather than simply saying, "Those aren't the facts of our case, Judge," acknowledge that, and answer the question anyway.

I would also address how to interact with your adversary. This applies to brief-writing as well as oral advocacy. A couple of examples: I was reading a brief today that was replete with invective,

name-calling and characterizations. Judges find this behavior distasteful, and it undermines the writer's position. On the other hand, in one of the best oral arguments I saw—one I will never forget—a lawyer was arguing and was struggling as he looked for something in the record, and his adversary said, "Is this what you're looking for?" and handed it to him. The civility and the respect were admirable. Name-calling, deprecating the adversary's argument and that sort of thing is unnecessary and detracts from the argument. That's my message. Stick to your arguments; elevate your discourse.

20: Pivoting right around the point of what the pitfalls are, we were curious what you think makes a truly outstanding brief or a truly outstanding oral argument.

JS: For the argument, you have to be ready to change course easily and to respond to questions that you may not have anticipated. I know that some of the advocates have the luxury of having people moot them and work with them to hone their arguments. Both for the writing and for the arguments, I think preparation is key. There's nothing more important than preparation.

As for the writing, I think it is important to identify your strongest points, what are your most important points, and not throw everything into the mix, whether relevant or not. Long briefs replete with irrelevant matter dilutes the strength of an argument. It is also important to be well organized and concise. One of the best things the Court has done was to impose page limits because I really think the quality of the briefs improved markedly. There was much less repetition,. I promise everyone who reads this interview that we read every word you write. It isn't necessary to repeat things three times. We read your briefs carefully—we really do.

20: What about amicus briefs? It can be sort of a sticky wicket, and sometimes folks come in with amicus for different reasons and presenting different types of briefs. Is there a particular type of amicus brief that you think is particularly helpful for a judge on the Court?

JS: Yes. First of all, as you probably know, we're very liberal about granting permission to submit amicus briefs. And sometimes it's hard to know what's going to be helpful and what isn't. I think what is most helpful is an amicus brief that provides context to the issue or issues that may not be brought out by the parties themselves because they are focused on their clients' interests.

On the other hand, it's not helpful to make arguments in an amicus brief that are completely different from the arguments made by the parties because we cannot decide a case based on unpreserved issues.

So what is most helpful is probably just to give us a broader perspective on the legal and/or practical ramifications of ruling a certain way. Because our decisions may impact many more people than just the parties before us, I think that is a very important consideration.

20: So is there any circumstance under which an amicus brief that just repeats the arguments of the parties would be helpful—if it's helpful to know the position of a certain organization or company or other repeat litigant?

JS: I would not exclude that as a possibility, because again, it may provide context. If I might—certain organizations' positions are predictable. Again, the lawyers are advocates for a party to the litigation, but amici may have a broader perspective on a proposed ruling. And sometimes we're surprised: "Well gee, this organization is supporting this party," and that's not what you'd

expect. That's valuable information. The reason why they do or do not support a particular party may be significant.

20: A big part of the Court's work, as you mentioned, is discretionary review and considering whether to grant leave. If you can give us a primer on leave applications, so we can have better context. Also, what arguments do you find most persuasive when considering leave applications, or what types of arguments?

JS: Criminal leave applications come on a rotation basis to one individual judge, and that judge either grants or denies leave. And some judges feel more comfortable reviewing them themselves in the first instance. I always have a law clerk look at them first, and then I review them, after which I determine whether it is a proper case in which to grant leave.

I think one of the things that is common to both civil and criminal leave applications is that there may be a good issue, but the particular case may be a poor vehicle to address that issue and to address it in an appropriate way. So, having a clerk look at the application helps me with that process—particularly when I know that I'm the first and the last word on it, in the criminal leave applications.

The civil leave applications are initially reviewed by one of the Court's central staff attorneys, who prepare a report for the assigned judge. The assigned judge reviews the report, together with all the leave papers and the record, including the Appellate Division briefs. The central staff report is similar to a bench report in some ways—it contains a summary of the facts and procedural history, an analysis of the law, an application of the law to the facts, and a recommendation to grant, deny or dismiss leave.

Among other things, the assigned judge must consider certain certiorari factors in granting or denying leave. That is, whether the case presents a novel issue, whether the arguments are well presented, whether there are jurisdictional or reviewability issues, such as preservation issues, or other barriers that might prevent us from reaching the legal question that we think warrants review by the Court. Once the assigned judge approves the report, sometimes with clarifications or minor revisions, it is circulated to the other judges for their review and consideration. And then when we get to conference, we vote on whether to grant or deny leave to appeal. It takes two judges to grant leave on a civil leave application.

20: How often are you looking for things like splits between the Appellate Division departments or splits between the prevailing rule in New York and other state high courts?

JS: Certainly, inconsistent holdings between or among Appellate Divisions is a significant certiorari factor because we want the rule to be clear and consistent throughout the state. That situation is a compelling reason for the Court to review an issue. But sometimes an appellant seeking leave to appeal may point to a case from one department and a case from another department, but the issue really hasn't been developed, or it may not be an indication of a real split. So, we pay attention to those things as well. Generally, we like to see issues developed in the Appellate Division departments before we take them on.

20: And aside from splits in the departments. Say there isn't a split and an applicant is trying to persuade you that this is a significant issue. What kinds of arguments do you find compelling when you're hearing that kind of a pitch?

JS: For example, if we think—and of course we can't prejudge it before it's fully argued before us—but if we think the Appellate Division may have made an error of law and that the mistake will have an widespread effect and it needs to be corrected, that's something that will entice us to grant leave.

20: The process you mentioned of voting on leave applications—is that something that might extend over multiple conferences or discussions? Do the judges sometimes take multiple conferences to decide whether to grant leave?

JS: Yes. That may happen, but it is the exception, rather than the rule. By way of background, the Court has its own argot. There are acronyms for a whole bunch of things. One of them is an MMC, I don't know what that stands for, because it's really a "memorandum to colleagues," so it should be an MTC, but we call it an MMC. It was that way when I got there; it'll be that way when I leave. Sometimes after a report is circulated on one of these motions, a judge will follow it up with an MMC before conference, to let the other judges know their position with respect to the recommendation—either that they disagree with the recommendation and why or simply to indicate that they agree with a recommendation. For example, this may occur when a judge votes to deny leave, but is of the view that the issues should be highlighted for the arcanum. The MMC is a vehicle to bring special attention to the issue raised so that the Court will watch for a proper case in which to grant leave.

We also circulate an MMC whenever we grant leave on a criminal leave application so that the other judges will know that an issue is going to be coming before the Court.

20: You had mentioned that the criminal leave applications are handled by a single judge. Is there ever a discussion among judges about applications that are wheeled out to an individual judge, or is it usually just a solitary process?

JS: The process for CLAs (the acronym for criminal leave applications) is usually addressed within chambers. On occasion, I've had a judge reach out to me, or I have done the same with another judge. But that does not occur with any frequency.

I realize I didn't completely answer your previous question about whether the votes on leave applications are ever deferred. There are many motions on each conference calendar. The vast majority of them are voted down in bulk because all the judges have read the reports, we all agree with the reports, and there's no need for any discussion. Whenever there's a recommended leave grant, or whenever anybody covers—we call it "covers"—a central staff report with an MMC, it goes on the extended discussion list. With respect to those leave applications, we go around the table, we all have our say on what we think about it, and we discuss it. Sometimes as a result of those discussions, a judge asks to put a motion for leave over. When that happens, it is almost always put over to another day during that Court session, rather than to a future Court session. It wouldn't be apparent to anyone outside the Court that that had happened.

20: You mentioned the arcanum, and we are very curious about the Court's jurisdictional rules. We're both alums of the New York SG's Office, where we spent a lot of time reading Karger's, and it seems a lot of the Court's jurisdictional rules are developed and applied just in sort of one-line orders and the like, without written explanation. Do you think that's something that could or should change so that practitioners have more of an understanding, without necessarily cracking Karger's open, about what the jurisdictional rules are?

JS: What I can tell you is that has been the subject of conversation on more than one occasion.

[Laughter]

And yes, it's complicated—it really is. On some things, we do try in our own way to send signals about things, but sometimes it's really that we want to keep our options open.

20: Lots of questions there.

JS: I'm sorry, and I try to be as transparent as possible about our Court process, but some things must remain confidential.

20: Understood. Do you think—one argument that you could see making in a leave application is, you know, here are these jurisdictional issues that we think go our way, but maybe they don't, maybe they do, and you guys decide that, and it's a close question, in the applicant's view, that could warrant discussion on the record by the Court through the adversarial process. Is that the type of thing that you as a judge would be open to hearing or that you think the institution would be open to hearing?

JS: There are certain things that come up in cases, and particularly where we end up deciding to grant leave. There may be a mootness question, there may be a preservation question, that we think is particularly interesting, for example, and there might be a motion to dismiss, and we'll deny the motion but allow the parties to brief the issues, and that way we do get to them. And, of course, sometimes we have sua sponte dismissals where we first send out letters to the parties and ask them to comment on whatever we are considering. So, there are some opportunities to give input into that.

20: Do you think it would be helpful to have a process like the U.S. Supreme Court has where individual judges, when leave is denied, can write opinions concurring in the denial, or respecting the denial, or dissent, or do you think that would just lead to too many opinions or the like?

JS: Honestly, I kind of like the way we do it.

20: Sure.

JS: I do, partly because I think that commenting openly lends itself to offering an indication as to where a judge is on the merits before the substantive issue is actually argued. In my view, we should not indicate how we are going to decide the merits until the issue is considered in full.

20: That's a really good answer. Have you found any big changes in the Court itself between the time you took the bench and now, or in practice before the Court, or are things relatively the same?

JS: Some of each. The Court, as an institution, is something that I take very, very seriously. And sometimes it's a factor in how I vote. Every judge who has ever sat on the Court of Appeals has brought to the Court a unique perspective that they want to project into the law. But if the Court is only a combination of certain individuals, then I think that its overall purpose is compromised—and that purpose is to give clarity and predictability to the law. One of the hardest questions that I have confronted as an appellate judge—well, certainly as a Court of Appeals judge—is when is it appropriate to change stare decisis? And among the judges with whom I've been able to work on this Court, not everyone has the same view on that.

So have things changed? Yes. Absolutely. Some things have changed both in terms of our traditions that go on behind the scenes, and some of it, frankly, was altered because of Covid. We used to go out to dinner together every night during session. I thought this was a wonderful tradition because given the stress of the job, you might think we would all be tired of each other after a long day, but there was a rule that we didn't discuss our cases at dinner. And because we all come from different parts of the State, because our court sessions are so intense, we don't have a lot of opportunities to just be people together. I think taking a few moments to relax together helps the process. Unfortunately, our opportunities to do things like that have been greatly diminished during the past year, which will be my last year on the Court. But that's just an example of some of the small things that have changed—well, maybe not so small.

In addition, I have now served with two Chief Judges. I think that they each brought different personalities and different priorities to the Court, and that's a little bit of a difference. And we've had to change with the times as well. We have a lot more electronic filings and things like that.

But overall, I believe the law should move deliberately, and the Court should change slowly. I think those two things are related.

20: You said that one of the things that you really enjoyed about the Court was trying to find unanimity among your colleagues. And one of the things that we've seen, at least over the last term, and we don't know if this goes over the last couple of terms, is an increase in the number of separate opinions—either concurring opinions or dissenting opinions. Far fewer unanimous memorandum decisions. For the people who have to write up the decisions on the website, this is something that redounds to our dismay.

[Laughter]

We're going to ask you to hazard a guess about what explains that, if you think that that's something that's happening.

JS: I'm not really sure what explains that. I think to some extent it just depends on the different approaches that each judge takes. I think one of the hardest decisions to make is whether to write separately—whether it be a dissent or a concurrence—or to make compromises and how much to compromise in order to get that consensus. And I think we each have a different threshold. To me, that's probably the explanation for that. I think everybody considers those questions, but we just may view it a little differently. I don't know why that may have changed over the past term or two if, in fact, it has.

And it will be interesting to see going forward, since three out of the seven of us will no longer sit on the Court by this year's end. Therefore, whether that continues or it does not will likely depend upon what the new judges bring to the table.

20: That leads into a question that we wanted to ask, which was that it is going to be a lot of change. It's going to be a whole new Court, or at least it's going to feel like a whole new Court to a lot of us. What advice would you give to your successor?

JS: That is an excellent question. The first piece of advice I would give to my successor is to have at least one law clerk who has had some experience with the Court of Appeals, because they bring institutional knowledge. I had that. I was recently thinking back about when I first came to the Court. I was confirmed by the Senate on a Monday afternoon, and I participated in oral arguments for the first time on Tuesday. I was in conference Tuesday morning and I sat for

oral arguments Tuesday afternoon. It was a two-week session, so there were probably five, six days of oral arguments. Having law clerks who were familiar with the process was extremely helpful.

There are other things I haven't even begun to discuss with you, such as the civil leave applications--we call them blue-card motions because there's a little blue sheet of paper that's on top of them. When I first started to receive them as the assigned judge, I had no idea what a blue-card motion was. I also had assigned "CLAs"—I didn't understand why they were criminal leave applications and not civil leave applications. We had MMCs; we had SSMs. Just trying to figure out the lingo, let alone how the conference works, how the voting works, how oral argument works—the whole thing was just like being shot out of a cannon. So my point is that it is immensely helpful to have someone in your chambers who can help guide you through all of that. Although the more experienced judges and the permanent Court staff are great, they have their own work to do, and there is no substitute for having someone in your chambers to help you navigate those types of things.

Another thing I find very useful in having staff that knows the Court is that there are a lot of traditions, and as you say Karger and all the jurisdictional—the reviewability and the appealability issues. It's a lot to learn.

The other advice I would give is that it's very important to listen to the other judges. The way I look at it is that there are six other judges on the Court of Appeals who are at least as smart as I am. There is always something to be learned even if I disagree with them. Understanding your colleagues' positions and the basis of their analysis aids the process. Make the effort to

understand your colleagues' arguments. I think it helps the bench and the bar. I'm sure I'll think of a million other things after we conclude this interview, but those are a couple.

20: Is there one misconception or piece about judging that you wish you knew when you were an advocate or that would be good for advocates to know—something that advocates might get wrong about what goes on behind the scenes that might help them frame their advocacy differently?

JS: I don't know if it would help them frame their advocacy differently, but I've made it part of my mission to remind people that judges are people too. We're really not icons. We do what we do, and hopefully we do it well, and we care about what we do and all the judges recognize the profound significance and responsibility of what we do. But none of us is perfect.. So we look to the lawyers, and the advocates, to help us do that. I have learned in the past few years that there are things that are really special about the Court of Appeals. One is simply the way that the courtroom is laid out. The architect who designed it—the bench itself is at a height that results in the judges sitting at eye-level with the advocates as they're arguing, because it's meant to be a conversation; it's not meant to be the judges sitting on high and looking down. I think that that sets the tone for what judges should do.

But, speaking for myself, I am always mindful that it is important to remember that being a judge of the Court of Appeals was never about me. I sometimes have taken a position in a case that results in an outcome I did not favor, but I thought it was the right legal decision. I think it's also important to keep in mind that our purpose is to further the law, to clarify the law, to develop the law. And we do this work for the people: the litigants, their advocates and, most of all, the people

trying to order their lives, whether it's their business lives or their personal lives, in a way that's predictable for them.

20: That is certainly helpful in framing advocacy. What's next, Judge?

JS: That's the $64,000 question. I'm not really sure, honestly. I made myself a promise that I wasn't going to take anything on for at least six months. And hopefully I'll stick to that—there's some question about whether I'll be able to do that. But I think I will. My husband and I have grandchildren with whom we want to spend more time. It may sound simplistic, but I want to get out there and see the world. I just want time to sit down, relax and read a good book, maybe learn some new things, or relearn some things that I haven't done in a long time. I hope it's not the last you'll see of me.

20: Judge, we can't thank you enough. It's been really nice talking to you. This has been incredible.