No. 21-33

IN THE

Supreme Court of the United States

MÁXIMA ACUÑA-ATALAYA, DANIEL CHAUPE-ACUÑA, JILDA CHAUPE-ACUÑA, CARLOS CHAUPE-ACUÑA, YSIDORA CHAUPE-ACUÑA, ELIAS CHAVEZ-RODRIGUEZ, MARIBEL HIL-BRIONES,

Petitioners,

v.

NEWMONT MINING CORPORATION, NEWMONT SECOND CAPITAL CORPORATION, NEWMONT USA LIMITED, AND NEWMONT PERU LIMITED,

Respondents.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Third Circuit

BRIEF OF ANTONIO MALDONADO PAREDES AS *AMICUS CURIAE* IN SUPPORT OF PETITIONERS

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INTEREST OF *AMICUS CURIAE*[1]

Antonio Maldonado Paredes respectfully submits this brief as *amicus curiae* in support of the petitioners. Mr. Paredes is an anti-corruption prosecutor in Peru and expert in human rights and the rule of law. He served as the *Ad Hoc* Special State Attorney of Peru for the prosecution of former Peruvian president Alberto Fujimori and head of National Intelligence Service Vladimiro Montesinos. Mr. Paredes was responsible for the historic extradition of President Fujimori from Chile to Peru. He is a member of the Lima Bar (Peru).

As an expert in cases of human rights violations and political corruption, he has worked for more than three decades in Latin America on strengthening national human rights institutions, the justice sector, and civil society organizations. He has also worked in an international mission against impunity and corruption led by the United Nations and in the investigation and prosecution of gross human rights violations.

This case presents an important question: whether the Peruvian justice system can guarantee a fair trial to the Peruvian petitioners, who have

[1] All counsel of record received timely notice of the intent to file this *amicus* brief under Supreme Court Rule 37.2(a). This brief is filed with the consent of all parties. Petitioners and Respondents provided written consent. *Amicus* and his counsel have authored the entirety of this brief. No counsel for any party authored this brief in whole or in part, nor did any party or other person make a monetary contribution to the brief.

sued U.S. corporations in their home federal district in Delaware, seeking damages for harms allegedly committed by Respondents in the judicial district of Cajamarca in Peru.

Mr. Paredes has a significant interest in this question as an anti-corruption prosecutor and advocate. He has worked directly on cases in Peru where powerful actors have been able to exert undue influence on the justice sector, distorting the legal system and ultimately depriving litigants of the right to fair trial. Mining corporations, such as Respondents, have notoriously exercised such undue influence to the detriment of the fair-trial rights of peasants and indigenous peoples.

The following presentation is based solely on the *amicus's* interest in the issues raised in this case.

SUMMARY OF ARGUMENT

Peru's courts are gripped by a corruption crisis that remains unabated. The Peruvian government has officially recognized this. In this case, however, the district court and court of appeals refused to do so. They instead granted and then affirmed a *forum non conveniens* dismissal sought by U.S. defendants—despite evidence indicating that the defendants had previously resorted to bribery for a favorable judgment in Peru.

This case is characterized by an asymmetry between the parties, pitting powerful, resource-rich American corporations against peasants and

indigenous peoples who are historically marginalized in the Peruvian justice sector.

Unlike in the United States, the Peruvian justice sector lacks *de facto* guarantees of due process to ensure that parties—despite their disparities in influence and resources—can have their cases fairly decided on the merits. Corruption in the courts is a historical legacy of Peru's dictatorship and continues to elude efforts at reform. This situation is particularly acute in the facts underlying this case. Given the importance of extractive industries in Peru and the historical marginalization of peasants and indigenous peoples, there is a real risk that Petitioners will be unable to receive a fair trial in Peru.

Several decades of reforms in the Peruvian justice sector have been insufficient to change this situation. In 2018, a massive corruption scandal swept the highest circles of the Peruvian justice sector. Recent reforms, however, have made little headway. Indeed, in his inaugural address on August 2, 2021, the current Minister of Justice described the "Peruvian judicial system" as "highly ineffective" and "badly delegitimized."[2] Achieving real and sustainable change in Peru's justice sector is a long-term task that is far from complete.

In holding that Peru provides a more convenient forum than the Respondents' home

[2] Ministerio de Justicia y Derechos Humanos, *Presentación del titular del MINJUSDH*, YOUTUBE (Aug. 2, 2021), https://youtu.be/Ysr3mtws2HI (translated by *amicus*).

forum, the courts below made improper findings on the state of corruption in the Peruvian justice sector. These findings contradict the official conclusions of the Peruvian government, which should be given due regard under international comity.

That this corruption-rife forum was found adequate speaks volumes about the state of the *forum non conveniens* doctrine. When courts disregard evidence of corruption, U.S. defendants get the benefit of a weak rule of law in foreign fora. Decisions like the one below undermine global anti-corruption efforts. They also undermine the integrity of transnational litigation, which is an inevitable feature of our globalized economy.

As an expert in justice-sector reform in Peru, the *amicus* concludes that adjudicating this case in the United States would likely advance reform efforts in Peru and raises no foreign relations concerns. Conversely, the decisions below that send this case to Peru are likely to undermine Peru's efforts at reform.

ARGUMENT

I. The Third Circuit's misguided application of *forum non conveniens* shows that courts lack clear guidance on the application of this doctrine.

A. Courts lack a clear framework to evaluate evidence of corruption in foreign courts, especially in the Latin American context.

As commentators have noted, federal courts have very rarely found "an alternate forum inadequate on the grounds of bias or corruption," and routinely reject strong evidence of systemic corruption or bias.[3] Even official findings of foreign and U.S. government officials—the best available evidence on systemic corruption risks—are frequently rejected as insufficient. *See, e.g.*, *Rivas ex rel. Estate of Gutierrez v. Ford Motor Co.*, No. 8:02-CV-676-T-17, 2004 WL 1247018, at *7 (M.D. Fla. Apr. 19, 2004) (disregarding statement of President of Venezuelan Supreme Court describing a "judicial crisis").

Common sense says that systemic corruption is relevant to a forum's adequacy, yet courts are increasingly reluctant to scrutinize the integrity of foreign legal systems. *See, e.g.*, *Base Metal Trading Ltd. v. Russian Aluminum*, 98 F. App'x 47, 50 (2d Cir. 2004); Alexander R. Moss, Note, *Bridging the Gap: Addressing the Doctrinal Disparity Between*

[3] Virginia A. Fitt, Note, *The Tragedy of Comity: Questioning the American Treatment of Inadequate Foreign Courts*, 50 Va. J. Int'l L. 1021, 1029 (2010).

Forum Non Conveniens and Judgment Recognition and Enforcement in Transnational Litigation, 106 Geo. L.J. 209, 228 (2017). The issue arises repeatedly in the Latin American context, where there is a high incidence of corruption.

Granting cert in this case would allow the Court to clarify when systemic corruption constitutes inadequacy, who bears the burden of proof, and what evidence should be weighed.

B. The Third Circuit disregarded a proven, ongoing pattern of judicial corruption in Peru.

Judicial corruption generally takes two forms: *quid pro quo* disloyalty and undue influence.[4] Both are endemic to Peru, particularly in cases like this, where powerful mining interests are pitted against historically marginalized groups.

Peru is in the middle of a corruption crisis gripping all branches of government. In June 2019, investigative reports revealed "an extensive network of undue influence, bribes, and other illicit dealings in Peru's judicial system."[5] Leaked recordings captured judges accepting bribes in exchange for favorable decisions. The fallout of the scandal led to public protests, resignations,

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[4] *See* Maya Steinitz & Paul Gowder, *Transnational Litigation as a Prisoner's Dilemma*, 94 N.C. L. Rev. 751, 761 (2016).
[5] César R. Nureña & Federico Helfgott, *Rings of Corruption in Peru*, NACLA (June 27, 2019), https://nacla.org/news/2019/06/27/rings-corruption-peru.

investigations by prosecutors, and government reform initiatives.

Yet systemic corruption continues. A 2019 report from the Attorney General's Office Specialized in Crimes of Corruption concluded:

> [B]eyond the actions [the National Board of Justice] could take in upcoming months, it is without a doubt insufficient to recover and ensure the guarantees of a correct administration of justice at a national level . . . The so-called agencies of formal control of crime have failed and have been failing every day.[6]

As the OECD concluded, the impact of justice sector reforms "will be felt only in years to come."[7]

Reform is a distant goal because corruption has long been woven into the fabric of government institutions. One of the darkest periods of corruption in the justice sector occurred in the so-called "self-inflicted coup," in 1992, when President Alberto Fujimori dissolved Congress, the Court of Constitutional Guarantees, the National Council of the Magistracy, and the Comptroller's Office and

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[6] PROCURADURÍA PÚBLICA ESPECIALIZADA EN DELITOS DE CORRUPCIÓN, CORRUPCIÓN EN EL SISTEMA DE JUSTICIA: CASO "LOS CUELLOS BLANCOS DEL PUERTO" 133 (2019) (translated by *amicus*).

[7] ORG. FOR ECON. CO-OPERATION & DEV., PHASE 2 EVALUATION OF PERU: FINAL REPORT 5, 41 (2021), https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DAF/WGB(2021)20/FINAL&docLanguage=En.

the Attorney General's Office intervened. He dismissed Supreme Court magistrates, judges and prosecutors throughout the country and captured the Public Ministry. To replace these officials, he appointed allies proposed by the National Intelligence Service and its *de facto* boss, Vladimiro Montesinos. Montesinos oversaw the implementation of the regime's policy, based on systematic violations of human rights and kleptocracy. Fujimori's coup enabled the effective capture of the justice sector.[8]

When democracy was restored in 2001, the Peruvian government created a commission that, in 2003, issued a plan to reform the justice sector, stating that:

> "Although corruption has traditionally been a phenomenon present in our society, and particularly in our justice system... today it is possible to affirm that [corruption] constitutes a real threat to coexistence and democratic order."[9]

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[8] *See* HUMAN RIGHTS WATCH, PROBABLE CAUSE: EVIDENCE IMPLICATING FUJIMORI, nn. 4-7 and accompanying text, (2005), https://www.hrw.org/report/2005/12/21/probable-cause/evidence-implicating-fujimori.

[9] COMISIÓN ESPECIAL PARA LA REFORMA INTEGRAL DE LA ADMINISTRACIÓN DE JUSTICIA, PLAN NACIONAL DE REFORMA INTEGRAL DE LA ADMINISTRACIÓN DE JUSTICIA 333 (2003), https://www4.congreso.gob.pe/comisiones/2004/ceriajus/Plan_Nacional_ceriajus.pdf (translated by *amicus*).

The Commission documented, among other examples, incidents of bribery, illicit enrichment, and influence peddling.

This situation persists, despite the passing of 20 years since the restoration of democracy, and despite numerous reform initiatives, including the creation of an "Anti-Corruption Subsystem." According to Peru's Special Prosecutor for Corruption Crimes, in a report published at the end of 2019:

> Emblematic cases of high corruption in the Peruvian justice system that occurred recently, such as that of 'Los Cuellos Blancos del Puerto' or 'CNM audios,' show the institutional weakness of the organizations that, paradoxically, should be in charge of the fight against corruption and of prosecuting and sanctioning these acts.[10]

Contrary to the conclusions of the district court and the Third Circuit, the corruption crisis continues unabated. In a report issued this year, the U.S. State Department observed that "reforms to date have not remedied Peru's historic social and economic inequalities and pervasive corruption" and that "[t]ransnational criminal organizations (TCOs) engage in a wide range of illicit activity by

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[10] PROCURADURÍA PÚBLICA ESPECIALIZADA EN DELITOS DE CORRUPCIÓN, CORRUPCIÓN EN EL SISTEMA DE JUSTICIA: CASO "LOS CUELLOS BLANCOS DEL PUERTO" 17 (2019) (translated by *amicus*).

exploiting weak institutions."[11] The State Department concluded that "Peru's political leadership is challenged to deliver results across this range of issues."[12]

Recent statements from senior Peruvian officials confirm that reform has not yet been achieved. In an inaugural speech delivered on January 4, 2021, the President of the Supreme Court declared:

> The fight against corruption constitutes a huge challenge for the Judiciary, because it has the double task of taking action against external corruption, but *also and especially against internal corruption*.[13]

On August 2, 2021, in his inaugural address, the new Minister of Justice, Dr. Anibal Torres Vasquez, declared that "the Peruvian judicial system continues to be highly ineffective":

> It is important to recommence the task of the reform commission on the judicial system. The justice system is today so badly delegitimized before society, because … justice in Peru has

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[11] U.S. DEP'T OF STATE, INTEGRATED COUNTRY STRATEGY: PERU 2 (2021).

[12] *Id.*

[13] Elvia Barrios Alvarado, Discurso Apertura de Gestión 2021-2022 4 (Jan. 4, 2021), http://www.gacetajuridica.com.pe/docs/DISCURSOAPERTURADEGESTIN20212022DRAELVIABARRIOSALVARADO.pdf (translated by *amicus*) (emphasis added).

> already collapsed. … The only people who don't see this situation are the lawyers, but all the Peruvian society knows that this happens daily in the justice sector. … Justice is too slow, and it always arrives too late.[14]

Against this backdrop, the Third Circuit should have credited—not discounted—the risk that corruption or bias could distort the outcome of this case if tried in Peru. Indeed, evidence in the record indicates the Respondents have previously used bribes and undue influence to abuse the legal system. A U.S. defendant facing plausible allegations of corruption in Peru should not be rewarded with dismissal from its home forum in Delaware.

1. The justice sector is rife with *quid pro quo* corruption.

Peru's justice sector is plagued by *quid pro quo*: bribery to judges and prosecutors, where payments or favors are exchanged for favorable decisions or stalled proceedings.

Petitioners have provided evidence that Respondents are no strangers to pay-to-play practices. Based on this record, there is reason to believe that Newmont has engaged in transnational bribery to influence senior Peruvian State officials, including high-level magistrates, in an effort to

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[14] Ministerio de Justicia y Derechos Humanos, *Presentación del titular del MINJUSDH*, YOUTUBE (Aug. 2, 2021), https://youtu.be/Ysr3mtws2HI (translated by *amicus*).

secure its ownership of the Yanacocha gold mine.[15] In the 1990s, Newmont's ownership of the Yanacocha mine was threatened when another shareholder, Bureau de Recherches Géologiques et Minières (BRGM), a French government-owned company, attempted to sell its shares to an Australian company.[16] According to Petitioners' evidence, Respondents bribed secret police chief, Vladimiro Montesinos, with over half a million dollars to swing a Peruvian Supreme Court decision to find in favor of Newmont's ownership of the mine.[17]

2. The lack of judicial independence is acute when peasants and indigenous peoples confront mining interests.

There is a major fault line in Peruvian society between powerful extractive industries and historically marginalized peasants and indigenous peoples. The power imbalance between these constituencies is amplified and compounded through structural corruption and a lack of independence in the judicial system.

For decades, mining corporations have successfully exerted undue influence on justice-sector actors and distorted legal outcomes in

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[15] Appellants' Opening Brief at 19, *Acuña-Atalaya v. Newmont Mining Corp.*, 838 F. App'x. 676 (3d Cir. 2020) (No. 20-01765), 2020 WL 3265966, at *19.

[16] *See* Jane Perlez & Lowell Bergman, *Tangled Strands in Fight Over Peru Gold Mine*, N.Y. TIMES, June 14, 2010, https://www.nytimes.com/2005/10/25/world/americas/tangled-strands-in-fight-over-peru-gold-mine.html.

[17] Appellants' Opening Brief, *supra* note 15, at 19.

disputes involving peasants and indigenous persons. This phenomenon is well described by local observers as "corporate capture of the State by the Peruvian economic elites."[18] In a country that, according to the U.S. State Department,[19] has a predominantly extractive economy, "this activity is directly related to the concentration of economic power."[20]

Transnational corporations such as the Respondents benefit from state-wide practices of revolving doors and influence peddling, carried out by different lobbyists on behalf of these elites. As the State Department concluded, this economy of influence "also suggests a high level of influence over the Judiciary."[21] Indeed, "[t]he power of the economic elites, therefore, is so strong, varied and organized that it can impact all the powers of the State, an advantage that other social groups do not have."[22]

The present case exemplifies the pattern of undue influence. Indeed, there is no better predictor of the likely outcome—should dismissal be affirmed—than what has already transpired in Peru when Petitioners sought legal remedies.

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[18] FRANCISCO DURAND, CUANDO EL PODER EXTRACTIVO CAPTURA AL ESTADO: LOBBIES, PUERTAS GIRATORIAS Y PAQUETAZO AMBIENTAL EN PERÚ 76 (Oxfam Int. 2016) (translated by *amicus*).

[19] U.S. DEP'T OF STATE, *supra* note 11, at 2.

[20] DURAND, *supra* note 18, at 76.

[21] *Id.* at 77.

[22] *Id.*

Here, Petitioners have provided evidence that the Respondents have already engaged in the exploitation of the weak and influence-susceptible Peruvian judiciary to harass the Petitioners.[23] Respondents repeatedly filed false complaints against the Petitioners accusing them of criminal trespass.[24] Twice, trial courts convicted the Petitioners.[25] According to an affidavit by Ysidora Chaupe-Acuña, when Petitioners were sentenced to prison, the judge revealed that the prosecutor **had accepted an "economic benefit"** from Respondents to bring the case against the Petitioners.[26] Following six years of the harassment-driven prosecution and litigation detailed in Petitioner's briefing, the Supreme Court of Justice of the Republic acquitted the Petitioners, citing a lack of evidence.[27]

In stark contrast, local courts and prosecutors did not pursue the Petitioners' ten criminal complaints against Minera Yanacocha, Respondents' local subsidiary, for harassment and usurpation.[28] Petitioners have provided evidence

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[23] Appellants' Opening Brief at 16-18, *Acuña-Atalaya v. Newmont Mining Corp.*, 838 F. App'x. 676 (3d Cir. 2020) (No. 20-01765), 2020 WL 3265966, at *16-18.
[24] *Id.* at 16-17.
[25] *Id.*
[26] *Id.*
[27] *Id.* at 17; Order Supreme Court of Justice of the Republic, Permanent Criminal Chamber, Cass. No. 458-2015, Cajamarca, May 3, 2017.
[28] Appellants' Opening Brief at 16-18, *Acuña-Atalaya v. Newmont Mining Corp.*, 838 F. App'x. 676 (3d Cir. 2020) (No. 20-01765), 2020 WL 3265966, at *16-18, Ex. 19 Mirtha Esther Vasquez Chuquilin Decl., Dec. 1, 2017 (English Translation) (Dkt. No. 43-1).

that prosecutors ignored the allegations against Respondents on the weak and disingenuous basis that a criminal court was not the proper setting for a land dispute.[29]

The Petitioner's record further indicates that prosecutors encouraged Petitioners to allow Respondents on their land or they would miss "a great opportunity."[30]

In the *amicus*'s view, the record lacks rebuttal evidence that exonerates the Respondents. Rather, the record suggests that the Respondents' exertion of undue influence and interference with Petitioners' right to fair trial in Peru is consistent with evidence of their prior corrupt practices in the Peruvian justice sector. Respondents' conduct in this case echoes their effective use of *de facto* power and influence to claim ownership of the Yanacocha mine. Indeed, Respondents' undue influence over Peruvian courts was so powerful in that case that it defeated both its competitor, BRGM, and the French government's efforts to claim possession.[31] It is not surprising that here, Respondents effectively manipulated the legal system to harass Petitioners and avoid criminal liability.

The risk factors for corruption are all present in this case. The Respondents are mining companies with enormous political and economic influence in

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[29] Appellants' Opening Brief at 17-18, *Acuña-Atalaya v. Newmont Mining Corp.*, 838 F. App'x. 676 (3d Cir. 2020) (No. 20-01765), 2020 WL 3265966, at *17-18.
[30] *Id.* at 18.
[31] *See supra* notes 15-17 and accompanying text.

Peru—and a track record of bribery and undue influence. The Petitioners are peasants and indigenous peoples historically disadvantaged in the justice sector.

As a former corruption prosecutor in Peru, the *amicus* is alarmed that the lower courts found an adequate forum in these facts. U.S. courts should not exclude meaningful consideration of corruption in resolving *forum non conveniens* motions. The Court should correct this trend.

II. Disregarding Peru's official recognition of systemic corruption undermines international comity and encourages defendants' forum shopping.

The Court should grant certiorari in this case because the lower courts' fact-finding and dismissal are clearly erroneous and against the public interest. First, they run counter to international comity because they contradict the Peruvian government's own findings on corruption in the justice sector. Second, they undermine international rule-of-law efforts by encouraging U.S. corporations to forum shop for jurisdictions where they can exercise forms of undue influence that would never be accepted in the United States. Finally, they usurp foreign policy functions from the Executive Branch by disregarding the diplomatic findings of the State Department that Peru is still in the grips of its corruption crisis.

A. Certiorari should be granted to ensure that comity is given to foreign-state efforts to bolster the rule of law and fight corruption.

As the Third Circuit has held, "[u]nder the principle of international comity, a domestic court normally will give effect to executive, legislative, and judicial acts of a foreign nation." *Remington Rand Corp.-Delaware v. Bus. Sys. Inc.*, 830 F.2d 1260, 1266 (3d Cir. 1987); *Hilton v. Guyot*, 159 U.S. 113, 164 (1895).

In this case, however, the district court disregarded executive acts of the Peruvian government that recognized the ongoing corruption crisis in Peru. Instead, the court deferred to the defendants' representations that Peru's corruption problems were a thing of the past. The Third Circuit affirmed that error.

This error is cert-worthy because it reveals a broader problem in the federal courts: the lack of guidance on how courts should determine the adequacy and availability of foreign fora. Far from being a doctrine that harmonizes foreign relations, *forum non conveniens* dismissals have encumbered Latin American jurisdictions with procedural Catch-22s, inefficient delays, and absurd double remands.[32]

What was once intended to be a rarely applied doctrine, *Quackenbush v. Allstate Ins. Co.*, 517 U.S.

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[32] *See* Dante Figueroa, *Are There Ways Out of the Current Forum Non Conveniens Impasse Between the United States and Latin America?*, 1 Bus. L. Brief (Am. U.) 42, 42 (2005).

706, 722 (1996), has become a routine docket-clearing mechanism—regardless of the friction produced with foreign jurisdictions on the receiving end of a remand.[33]

This case provides a vehicle for the Court to clarify how the adequacy of a foreign forum is to be determined, particularly in the challenging situation of countries like Peru where a deficient rule of law endangers fair trials in certain categories of cases—often those involving powerful multinationals. In such circumstances, it is particularly inappropriate for a U.S. court to substitute the pre-discovery representations of a U.S. defendant for the official factual conclusions of a foreign state.

B. Certiorari should be granted to discourage reverse forum shopping by U.S.-incorporated entities and to ensure effective regulation.

Allowing the Third Circuit's decision to stand would create incentives for Delaware-incorporated corporations to reverse forum-shop: electing to be sued in a jurisdiction with a weaker rule of law to maximize a favorable outcome. In this scenario, a *forum non conveniens* dismissal can amount to there being no available forum—convenient or otherwise.

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[33] *See* Joel H. Samuels, *When Is an Alternative Forum Available? Rethinking the Forum Non Conveniens Analysis*, 85 Ind. L.J. 1059, 1077 (2010).

In an age of transnational business and supply chains, turning a blind eye to systemic corruption risks creating law-free zones where a U.S. multinational can derive the benefits of incorporating in the United States while avoiding the burdens of federal jurisdiction. Such legal gamesmanship undermines the administration of justice in a global economy and risks diplomatic tension.

Dismissals like the one below risk being viewed by the Peruvian state as a means of shielding U.S. mining corporations doing business in Peru from liability for their wrongs by barring access to US federal courts.

By contrast, adjudicating the Peruvian Petitioners' claims in the Respondents' home forum would harmonize the U.S. and Peruvian legal systems. And it would ensure that Peru's fledgling efforts to stamp out corruption are not jeopardized by foreign defendants viewing Peruvian tribunals as courts of convenience where influence trumps merits.

Lastly, the lower courts' refusal to credit the State Department's conclusions on corruption in Peru, and their disregard of stated Peruvian policy, are in tension with the foreign affairs powers of the executive branch. Abstaining from jurisdiction can embroil a U.S. court in foreign relations no less than exercising jurisdiction. This is particularly so when the case involves a U.S. corporation with a history of abusing and tainting the integrity of foreign courts. Ultimately, the lower courts should

not have substituted their opinions on the state of corruption in Peru for the considered findings of the Peruvian and U.S. governments.

CONCLUSION

For these reasons, the Court should grant a writ of certiorari to correct the clearly erroneous holdings below. The Court's review can clarify how courts should apply the *forum non conveniens* doctrine in the face of evidence of corruption and deficient rule of law in the alternative forum.

Respectfully submitted,

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