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-----X
NEW YORK CITY
TAXI & LIMOUSINE COMMISSION
PUBLIC HEARING
-----X

September 28, 2022
9:32 a.m.

Held Remotely
via Zoom

B E F O R E:
SHERRYL ELUTO, General Counsel

Board of Commissioners:
CHAIR DAVID DO
ELISA VELASQUEZ
BILL AGUADO
STEVEN KEST
THOMAS SORRENTINO
KENNETH MITCHELL
JACQUES JIHA

Julia M. Speros
Court Reporter

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S P E A K E R S:
Bhairavi Desai
Tamara Vishnaviakova
Mouhamadou Aliyu
Richard Chow
Galina Germiniker

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PROCEEDINGS

MS SCOTT: Good morning. Today's Public Hearing is about to begin.

This hearing is being conducted remotely, via Zoom, and is being simulcasted to the TLC's website, live stream, and Facebook accounts. All persons wishing to testify were asked to sign-up in advance of the hearing.

All registered speakers who are joining the meeting via Zoom, if you're speaking today, your audio and video were automatically. When your name is called, the moderator will activate your account and you will have control of your camera and microphone. When ready, please state your name and affiliation, and then proceed with your testimony.

Public testimony will be limited to three minutes per speaker. Any additional comments may be submitted in writing to the Commission. When your testimony is complete your audio and video will be muted by the moderator.

A special note for our registered

1 speakers:

2 Please ensure that your display name
3 in the Zoom meeting matches the name
4 that you used when you signed up to
5 speak. This will enable the moderator
6 to confirm that you are present in the
7 meeting.

8 Closed captioning is available for
9 today's meeting. Consecutive
10 interpretation is also available.
11 During the sign-up process, individuals
12 were asked if they require language
13 assistance. A Spanish interpreter has
14 been made available.

15 If you are using an interpreter,
16 when your name is called, please speak
17 and the interpreter will repeat your
18 testimony in English.

19 Thank you for your attention.
20 Please hold until we are ready to begin.

21 We will repeat this message in
22 Spanish.

23 Spanish Interpreter, please go
24 ahead.

25 (Message repeated in Spanish.)

1 MS. SCOTT: Thank you. I will now
2 yield the floor to Commissioner and
3 Chair, David Do.

4 CHAIR DO: Well, thank you so much,
5 Tanya and good morning everyone. I am
6 calling this meeting to order at
7 9:35 a.m.

8 I am David Do, Commissioner and
9 Chair of the TLC, and I'm joined today
10 by our Board of Commissioners,
11 Commissioner Velasquez, Commissioner
12 Mitchell, Commissioner Sorrentino,
13 Commissioner Aguado, Commissioner Kest,
14 and Commissioner Jiha.

15 I am so excited to be here at my
16 first Commission Meeting. I want to
17 first thank all of our Commissioners for
18 making me feel so welcome.

19 I want to thank the entire industry
20 and staff for making me feel welcome in
21 this new role, as I started four months
22 ago, and I want to also thank, again, my
23 team, who made everything possible on
24 what we're going to vote on today.

25 I also want to thank our very new

1 Commissioner, Commissioner Elisa
2 Velasquez. Commissioner Velasquez has a
3 long and distinguished career in City
4 government currently at the Department
5 of Environmental protection.

6 We will also have a Public Hearing
7 on October 6th to talk about the taxi
8 meter rate increases and also the driver
9 pay for high volume drivers.

10 These proposed rules can be found on
11 our website and we encourage all
12 interested parties to submit testimony
13 or sign-up to speak.

14 Today we will have a hearing and a
15 vote to formalize a few adjustments to
16 the Medallion Relief Program that we
17 voted on earlier this year. Due to the
18 increased inflation and the Federal
19 Reserve adjustments to interest rates,
20 we will be increasing, in the rules, the
21 fixed interest rate to 7.3 percent or
22 less amortized over 25 years.

23 This will make our monthly payments
24 for our owner-drivers who modified their
25 loans through this program \$1,234. We

1 will also be adding in the rules that if
2 an owner-driver defaults, that they may
3 not acquire interest in the taxicab
4 license for a period of five years.

5 We've also made an adjustment to the
6 rules that took out balloon payments so
7 that we can get over some regulatory
8 hurdles for credit unions to participate
9 in this program.

10 But let me step back and say that I
11 am so incredibly excited for the last
12 two weeks, when we began refinancing
13 many of our medallion owners' loans.
14 Today, we have restructured over 850
15 loans resulting in a relief of 200
16 million dollars in just a
17 week-and-a-half.

18 We have been incredibly successful
19 and it is a thanks to all the hard work
20 of not only the Taxi and Limousine
21 Commission -- its Commissioners -- but
22 also our partners, including our lender,
23 and our partner attorneys, and, of
24 course, the New York Taxi Workers
25 Alliance.

1 And so with that, I want to turn it
2 over to our General Counsel, Sherryl
3 Eluto.

4 MS. ELUTO: Good morning,
5 Commissioners. The first item before
6 you are the minutes for the March 17,
7 2022 Commission Meeting.

8 I will call a vote now to adopt
9 those minutes.

10 So, all in favor of adopting the
11 minutes from March 17th, please raise
12 your hands for me.

13 (Commissioners' hands were raised.)

14 MS. ELUTO: One, two -- beautiful.
15 The minutes are adopted unanimously.

16 Next on our agenda, I will now call
17 on Fabian Cancel to present the Base
18 License Applications.

19 MR. CANCEL: Good morning,
20 Commissioners and attendees. My name is
21 Fabian Cancel and I'm the Director of
22 the Base and Business Licensing Unit.

23 91 Base Renewal and Change
24 Applications have been submitted for
25 review and they are awaiting your

1 approval.

2 MS. ELUTO: Oh, I'm sorry.

3 Commissioners, can we have a vote on
4 adopting the Base License
5 recommendations?

6 All in favor of adopting the Base
7 License recommendations, please raise
8 your hand.

9 (Commissioners' hands were raised.)

10 MS. ELUTO: Okay. Beautiful. The
11 vote has passed unanimously. Thank you.

12 Okay. We're now going to adjourn
13 the Commission Meeting in order to have
14 a Public Hearing on amending the
15 Medallion Relief Program rules.

16 The proposed rules were published in
17 The City Record on August 29, 2022 for
18 public comment and an updated version of
19 the rules were posted on our website on
20 September 23rd and circulated to the
21 Commissioners. Written comments that
22 were received were also circulated to
23 the Commissioners.

24 We will now call on the speakers
25 that have signed up in advance to speak.

1 Speakers will each have three minutes.
2 Please un-mute your microphone when you
3 are called.

4 The first speaker that we have today
5 is Bhairavi Desai.

6 (No response.)

7 MS. ELUTO: Ms. Desai, are you
8 there?

9 MS. DESAI: Yes, hi. Good morning.

10 MS. ELUTO: Good.

11 MS. DESAI: Good morning, Members of
12 the Commission and good morning,
13 Chairman Do. How both wonderful and
14 fitting that this is your first Public
15 Hearing.

16 You know, I know during your
17 confirmation, you made a pledge that you
18 would bring our dream to fruition and
19 I'm so thankful on behalf of all of our
20 members that you have lived up to that
21 promise.

22 I urge all of you, Members of the
23 Commission, to pass these rules --
24 basically, pass rules that we, as an
25 organization, had a membership meeting

1 to unanimously support before we went
2 ahead and told the stakeholders on this
3 issue that we would be speaking in
4 support.

5 You know, I have to tell you that
6 this past week was one of the most
7 remarkable experiences I've ever had,
8 not just in organizing, but honestly in
9 life. I mean, to see a workforce that
10 has been embattled, has gone through so
11 much crisis and tragedy, to literally
12 say, "I'm getting my life back" was just
13 deeply transformative.

14 I mean, 200 million dollars. That
15 is money that families -- working class
16 families can use for food, and shelter,
17 and education. I can't tell you the
18 number of drivers that came with their
19 children who literally said, "I can
20 think about college again".

21 We met members who had gone
22 homeless, had been living in the back of
23 their cabs over several years, who
24 talked about being able to have stable
25 housing again.

1 All the sacrifices that people made
2 because the money was no longer left on
3 the table for food, and shelter, and
4 education, and healthcare was instead
5 going to pay for high mortgages and
6 predatory loans is now going back into
7 the hands of our families and it is
8 because of this program. It is truly
9 lifesaving. It is life changing.

10 All I can ask is that everybody in
11 this industry listening, if you are a
12 driver with the Field Point, Marblegate,
13 DePalma loan, do not miss your term.
14 Over thousands of your brothers and
15 sisters have taken this opportunity for
16 a victory that our movement won.

17 This is real -- this is real -- and
18 every single driver in your family
19 deserves to be free of this debt.

20 THE MODERATOR: 30 seconds
21 remaining.

22 MS. DESAI: Go to the TLC, 3100 47th
23 Avenue, 4th Floor.

24 I have to really commend all of the
25 staff that has put these clinics

1 together. It's an unbelievably smooth
2 operation. Everybody is so welcoming in
3 making sure that every single driver is
4 able to get this debt restructured from
5 the TLC staff, driver resource center
6 attorneys, to Field Point Servicing.
7 We're so thankful for their labor.

8 The final seconds, I just want to
9 say to every lender that is out there,
10 we made a pledge to ourselves and to the
11 world. Every loan and every lender, we
12 ask you to do the right thing. Follow
13 the steps of Marblegate. Do what is
14 right morally here and even what is
15 beneficial to you financially.

16 Do not leave any owner-driver, any
17 small medallion owner behind. This is a
18 life changing program. We ask all of
19 you -- OSK, New York Community Bank,
20 Mega Funding, Medallion Financial Bank
21 -- all of you on the sidelines, make
22 your pledge to do right by us and join
23 this program.

24 Commissions, thank you again for
25 taking this historic vote. We hope you

1 will stand with us. We ask you to vote
2 yes on these rules. Thank you.

3 MS. ELUTO: Thank you for your
4 comments.

5 Our next speaker is Ashraf Ahmed.

6 Mr. Ahmed, please un-mute your mic
7 and begin.

8 (No response.)

9 MS. SCOTT: Actually, our next
10 speaker will have to be Tamara
11 Vishnaviakova (phonetic).

12 MS. ELUTO: Okay. Ms.
13 Vishnaviakova, if you could please
14 un-mute your mic and begin. I see
15 you're in the queue, but you need to
16 un-mute.

17 (No response.)

18 MS. ELUTO: Okay. Please begin.

19 MS. VISHNAVIKOVA: For 18 years, my
20 husband was driving taxi. All this
21 time, all newspapers and magazines had
22 articles that it's -- taxi medallion is
23 the best investment.

24 He believed in duty. He believed in
25 City Officials, the taxi industry --

1 this monopoly -- and that industry is
2 well-regulated.

3 He bought mini-fleet. Our goal was
4 to pay off loan before he retired. No
5 vacation, no new clothes, no big
6 apartment. Basically, sacrificed our
7 personal life in order to pay the loan.

8 Look at our investment now. No
9 income, no pension, no price for the
10 medallion. Industry is suffering;
11 industry has no future. We lost our
12 monopoly that City promised. Banks are
13 not giving loans because they see the
14 TLC is changing their own rules the way
15 they want.

16 City broke contracts with us. We
17 lost everything we were promised. No
18 future for the industry. No monopoly.
19 This is why we are, taxi -- my husband,
20 as taxi driver -- retired taxi
21 driver-owner is asking for restitution.

22 Program needs to be good, not just
23 for few hundred individuals who is
24 working now. Program need to be good
25 for all who lost years of hard work.

1 Again, retired driver/owners are asking
2 for restitution. I'm done.

3 MS. ELUTO: All right. Thank you
4 for your comments.

5 Our next speaker will be Mouhamadou
6 Aliyu.

7 Mr. Aliyu, if you could un-mute your
8 mic and begin. I'm trying to find you
9 on the screen. (Perusing.) There you
10 are.

11 Okay. Just un-mute your mic.

12 MR. ALIYU: Hello?

13 MS. ELUTO: Yes.

14 MR. ALIYU: Good morning, all the
15 Members of the Commission and good
16 morning, Commissioner David Do. It is a
17 pleasure for me to be here this morning
18 and I thank you for giving me this
19 opportunity.

20 My name is Mouhamadou Aliyu. I'm a
21 member of New York Taxi Workers Alliance
22 and I think we're starting to see the
23 end of the tunnel. It's like -- I mean,
24 I'm so excited.

25 (Indiscernible) because I went

1 through -- I went through so much
2 (indiscernible) and today, I'm believing
3 again -- me and my kids starting
4 believing again in our dreams.
5 Hopefully, we're going to have that
6 dream back and start moving forward.

7 So, I just want to urge every of the
8 Commissions to vote yes on this vote
9 because my life depends on it. My
10 children's life depend on it. I work so
11 hard all my life to be where I am and
12 then all of a sudden, I would start
13 losing the (indiscernible). So, I went
14 all over to beg for mercy to ask for
15 help and then here I am. You guys are
16 (indiscernible) -- saying lives
17 (indiscernible) to me and my children.

18 At the (indiscernible), I'm getting
19 a loan. It's -- that's not really what
20 I want because I lost so much. But for
21 you to save my life at this moment in
22 time, I can only urge you yes -- vote
23 yes on this. It's going to be a better
24 tomorrow. We have to start from
25 somewhere and I think this is great.

1 So, thank you for giving me this
2 opportunity. Once again, I really urge
3 you to vote yes on this proposal and one
4 more time, welcome to David Do.
5 Hopefully, we're going to have a good
6 partnership with this industry.

7 Thank you very much.

8 MS. ELUTO: Thank you very much for
9 your comments.

10 Our next speaker is Richard Chow.

11 Mr. Chow, you can un-mute your mic
12 and begin.

13 MR. CHOW: Hello. Good morning.
14 Can you hear me?

15 MS. ELUTO: Yes.

16 MR. CHOW: All right. Good morning,
17 everyone -- good morning, Commissioner
18 David Do and -- my name is Richard Chow.
19 I'm an owner-driver and I'm a member of
20 the New York Taxi Workers Alliance
21 Union.

22 Thank you, all of the Commissioners,
23 who vote for yes, saving our lives.
24 Thank you to the Mayor and Commissioners
25 (indiscernible) medallion owner

1 (indiscernible) with the City grantee.
2 Thank you -- and also thank you, my
3 lender, Marblegate.

4 I signed with Marblegate to
5 restructure my loan (indiscernible),
6 7.3 percent interest per year and fixed
7 rate on (indiscernible). We are all
8 waiting for long nine months to
9 restructure our loan. We cannot wait
10 another -- one more day.

11 So, I want to thank my union and the
12 union (indiscernible) emergency meeting
13 -- the last meeting -- all the members,
14 we voted and agreed (indiscernible)
15 under the City program to restructure my
16 loan -- our loan to 7.3 percent fixed
17 rate, to amend repayments of \$1,234.

18 So, I hope all -- after the
19 Marblegate lender, the rest of them must
20 participate in the MRP City program --
21 the same way as Marblegate -- so all
22 owner-drivers can live better lives,
23 livable income, and we can bring the
24 food to the table and then raise the kid
25 to college.

1 Myself, I raised three kids and I
2 have two kids and another -- my niece
3 and my little daughters, who now we have
4 -- I don't have to sign the Confession
5 of the Judgment. I'm not worried. I'm
6 not in fear about losing my home.

7 So, thank you for all the
8 (indiscernible) who make it happen for
9 all the drivers and so (indiscernible).
10 I'm so glad we are working on the street
11 again, working hard, and we love the
12 City and we --

13 THE MODERATOR: 30 seconds
14 remaining.

15 MR. CHOW: -- are working until I
16 can retire.

17 So, thank you for all. God bless
18 you and thank you so much. I'm done.
19 Thank you.

20 MS. ELUTO: Ms. Germiniker.

21 MS. GERMINIKER: Yes, hi. Can you
22 hear me?

23 MS. ELUTO: Yes.

24 MS. GERMINIKER: Okay. My name is
25 Galina Germiniker. I'm also an owner --

1 I'm not driver. I'm just here to speak
2 about my mother who's a 91-year-old
3 woman who inherited her medallions from
4 my father. My father isn't alive.

5 He started as a driver and
6 accumulated a total of six medallions.
7 I understand the program only works for
8 medallion owners who have five or less.

9 So, I just have a question, if
10 somebody can answer. This decision was
11 made, who was part of the decision? Was
12 it actually owners -- not just drivers
13 -- who were involved in this
14 conversation, cause my mother has no
15 other income than Social Security --
16 \$900 a month -- given to pay the \$1,200
17 that is proposed by the program. She's
18 unable to because nobody would
19 (indiscernible) medallions.

20 As you know, garages with all the
21 issues that we have with cars, banks
22 aren't loaning any money because there
23 is no business. I see the happy faces
24 that people are getting -- loan
25 forgiveness. I'm very happy, but I also

1 want to see them 25 years from now --
2 not even 25, but 5 years from now.

3 I think besides the program, the TLC
4 and City has to think about what is the
5 future of our industry. Will we be able
6 to survive even a year with making those
7 payments because unless people are
8 driving their cabs, a majority of them
9 are probably 60 and over. What's going
10 to happen in a year; what's going to
11 happen in two years? What's going to
12 happen in five years because the loan
13 maturity is 25 years. Who's going to
14 pay the loan?

15 And I also want to know what TLC and
16 everybody else -- who do they talk to?
17 Do they talk to medallion mini-fleet
18 owners, like my mother, who has six?
19 Because my mother is not even qualified
20 for the program. If it wasn't for
21 myself and my kids, which is her
22 grandchildren, she would be probably on
23 the street.

24 She has this one apartment. If the
25 bank goes after her with the apartment

1 she has, she's going to be on the
2 street. So, I have this question.

3 I know you agreed and the loans are
4 approved, but has anybody reached out to
5 owners who are not just driving because
6 that program should not satisfy just
7 small amount of people. It should also
8 reach out to other members of this
9 industry to see how can we be helped.
10 There should be a restitution for ones
11 who do not qualify for this program.

12 I mean, where -- there has to be an
13 option because it's a buyer's program.
14 The way I see it, it's a buyer's
15 program. It's good for one --

16 THE MODERATOR: 30 seconds remain.

17 MS. GERMINIKER: -- (indiscernible)
18 -- not good.

19 So, my question is, what's going to
20 happen to my mother because she has six
21 medallions. She's not qualifying for
22 the program. Do you want to kick out
23 91-years-old who survived Holocaust
24 during the World War II?

25 She survived Nazis, but she's not

1 surviving this because this -- she's
2 going to be out on the street. I mean,
3 you know, it's going to be another
4 funeral. It's not going to be a
5 suicide, but it's going to be a funeral
6 because of what's happening. Thank you.

7 MS. ELUTO: Thank you for your
8 comments. That was our last speaker.

9 We now return to the Commission
10 Meeting.

11 Commissioner Do.

12 CHAIR DO: Great. Well, thank you,
13 everyone, for their comments.

14 Now, to the Commissioners, I
15 recommend we adopt the rule as is.

16 Is there any discussion?

17 (No response.)

18 MS. ELUTO: Okay. Commissioners, if
19 you're prepared to vote on the adoption
20 of the rule, we will take a vote.

21 All those in favor, please raise
22 your hand.

23 (Commissioners' hands were raised.)

24 MS. ELUTO: Okay. The vote -- the
25 rule change passes unanimously.

1 I'm now asking, Commissioners, for
2 you to expedite the implementation of
3 the adopted rule.

4 We're asking a vote to adopt the
5 Chair's finding of a need for earlier
6 implementation. This motion will waive
7 the 30-day promulgation period and we
8 will be able to expeditiously implement
9 the rule.

10 Commissioners, all those in favor,
11 please raise your hands.

12 (Commissioners' hands were raised.)

13 MS. ELUTO: Thank you. The vote is
14 unanimous and the motion is adopted.

15 Commissioners, we will now vote on
16 the Financial Disclosure Rules
17 implementing Local Law 109 of 2022,
18 which created an annual disclosure
19 requirement for each person that has any
20 interest in a taxicab medallion.

21 This rule was published in The City
22 Record on March 3, 2022 for public
23 comment. A Public Hearing was held
24 virtually by the TLC on April 5th.
25 Comments received were circulated to the

1 Commissioners on September 21st and on
2 September 23rd, the final version of the
3 proposed rule was posted on our website
4 and circulated to the Commissioners.

5 Commissioners, may we move for a
6 vote? All those in favor of adopting
7 the rule, please raise your hand.

8 (Commissioners' hands were raised.)

9 MS. ELUTO: Yes -- okay. The motion
10 is adopted unanimously and that brings
11 us back to Commissioner Do.

12 CHAIR DO: Well, great. Thank you
13 so much, Sherryl, and thank you to all
14 of our Commissioners for bringing today
15 a life-changing vote for many owners of
16 medallions.

17 And I thank you for your time and
18 commitment to the Commission, and with
19 that, I will conclude the meeting at
20 this time at 9:59 a.m. Thank you,
21 everybody.

22 (Time noted: 9:59 a.m.)

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CERTIFICATION

I, JULIA M. SPEROS, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I
am in no way interested in the outcome
of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 28th day of September,
2022.



Julia M. Speros

\$1200 21:16	adding 7:1	16:21 18:20	articles 14:22	basically 10:24 15:6
\$1234 6:25 19:17	additional 3:21	also 4:10 5:22,25 6:6,8 7:1,5,22	ashraf 14:5	beautiful 8:14 9:10
\$900 21:16	adjourn 9:12	9:22 19:2 20:25 21:25 22:15 23:7 (14)	ask 12:10 13:12,18 14:1 17:14 (5)	because 12:2,8 15:13 16:25 17:9,20 21:18,22 22:7,12,19 23:5,13,20 24:1,6 (16)
& 4	adjustment 7:5		asked 3:8 4:12	
17th 8:11	adjustments 6:15,19	am 9 5:5,7,8,15 7:11 17:11,15 26:20,22 27:12,15 (12)	asking 15:21 16:1 25:1,4 (4)	
21st 26:1	adopt 8:8 24:15 25:4	amend 19:17	assistance 4:13	before 8:5 11:1 15:4
23rd 9:20 26:2		amending 9:14	attendees 8:20	beg 17:14
28th 27:18	adopted 8:15 25:3,14 26:10 (4)	amortized 6:22	attention 4:19	began 7:12
30day 25:7	adopting 8:10 9:4,6 26:6 (4)	amount 23:7	attorneys 7:23 13:6	begin 3:3 4:20 14:7,14,18 16:8 18:12 (7)
47th 12:22	adoption 24:19	annual 25:18	audio 3:12,23	behalf 10:19
4th 12:23	advance 3:9 9:25	another 19:10 20:2 24:3	august 9:17	behind 13:17
5th 25:24	affiliation 3:17	answer 21:10	automatically 3:13	being 3:4,5 11:24
6th 6:7	after 19:18 22:25	anybody 23:4	available 4:8,10,14	believed 14:24,24
91yearold 21:2	again 5:22 11:20,25 13:24 16:1 17:3,4 18:2 20:11 (9)	apartment 15:6 22:24,25	avenue 12:23	believing 17:2,4
91yearsold 23:23	agenda 8:16	applications 8:18,24	awaiting 8:25	beneficial 13:15
able 11:24 13:4 22:5 25:8 (4)	ago 5:22	approval 9:1	b 12	besides 22:3
about 3:3 6:7 11:20,24 20:6 21:2 22:4 (7)	agreed 19:14 23:3	approved 23:4	back 7:10 11:12,22 12:6 17:6 26:11 (6)	best 14:23
account 3:15	aguado 17 5:13	april 25:24	balloon 7:6	better 17:23 19:22
accounts 3:7	ahead 4:24 11:2	are 3:10 4:6,15,20 8:6,15,25 10:3,7 12:11 15:12,19 16:1,10 17:15 19:7 20:10,15 21:24 22:7,9 23:3,5 (23)	bank 13:19,20 22:25	bhairavi 2:3 10:5
accumulated 21:6	ahmed 14:5,6	aren't 21:22	banks 15:12 21:21	big 15:5
acquire 7:3	alive 21:4		base 8:17,22,23 9:4,6 (5)	bill 17
action 27:14	aliyu 2:5 16:6,7,12,14,20 (6)			bless 20:17
activate 3:14	alliance 7:25			blood 27:14
actually 14:9 21:12				

board 14 5:10	cause 21:14	25:23	contracts 15:16	disclosure 25:16,18
both 10:13	center 13:5	comments 3:21 9:21 14:4 16:4	control 3:15	discussion 24:16
bought 15:3	certification 27:2	18:9 24:8,13 25:25 (8)	conversation 21:14	display 4:2
bring 10:18 19:23	certify 27:6,12	commission 4 3:22 5:16 7:21 8:7	could 14:13 16:7	distinguished 6:3
bringing 26:14	chair 15 5:3,4,9 24:12 26:12 (6)	9:13 10:12,23 16:15 24:9 26:18 (11)	counsel 13 8:2	dollars 7:16 11:14
brings 26:10	chair's 25:5	commissioner 5: 2,8,11,11,12,13,13 ,14 6:1,1,2 16:16 18:17 24:11 26:11 (15)	course 7:24	done 16:2 20:18
broke 15:16	chairman 10:13	commissioners 14 5:10,17 7:21 8:5,20 9:3,21,23 18:22,24 24:14,18 25:1,10,15 26:1,4,5,14 (20)	court 23	dream 10:18 17:6
brothers 12:14	change 8:23 24:25	commissioners' 8:13 9:9 24:23 25:12 26:8 (5)	created 25:18	dreams 17:4
business 8:22 21:23	changing 12:9 13:18 15:14	commissions 13:24 17:8	credit 7:8	driver 6:8 12:12,18 13:3,5 15:20 21:1,5 (8)
buyer's 23:13,14	children 11:19 17:17	commitment 26:18	crisis 11:11	driverowner 15:21
cabs 11:23 22:8	children's 17:10	community 13:19	currently 6:4	driverowners 16:1
call 8:8,16 9:24	chow 2:6 18:10,11,13,16,18 20:15 (7)	complete 3:23	daughters 20:3	drivers 6:9 11:18 20:9 21:12 (4)
called 3:14 4:16 10:3	circulated 9:20,22 25:25 26:4 (4)	conclude 26:19	david 15 5:3,8 16:16 18:4,18 (6)	driving 14:20 22:8 23:5
calling 5:6	city 3 6:3 9:17 14:25 15:12,16 19:1,15,20 20:12 22:4 25:21 (12)	conducted 3:4	day 19:10 27:18	due 6:17
came 11:18	class 11:15	confession 20:4	debt 12:19 13:4	duly 27:8
camera 3:16	clinics 12:25	confirm 4:6	decision 21:10,11	during 4:11 10:16 23:24
can 6:10 7:7 9:3 11:16,19 12:10 17:22 18:11,14 19:22,23 20:16,21 21:10 23:9 (15)	closed 4:8	confirmation 10:17	deeply 11:13	duty 14:24
can't 11:17	clothes 15:5	consecutive 4:9	defaults 7:2	e 12,12 2:2,2 (4)
cancel 8:17,19,21	college 11:20 19:25		depalma 12:13	each 10:1 25:19
cannot 19:9	commend 12:24		department 6:4	earlier 6:17 25:5
captioning 4:8	comment 9:18		depend 17:10	education 11:17 12:4
career 6:3			depends 17:9	
cars 21:21			desai 2:3 10:5,7,9,11 12:22 (6)	
			deserves 12:19	
			director 8:21	

<p>elisa 16 6:1</p> <p>else 22:16</p> <p>eluto 13 8:3,4,14 9:2,10 10:7,10 14:3,12,18 16:3,13 18:8,15 20:20,23 24:7,18,24 25:13 26:9 (22)</p> <p>embattled 11:10</p> <p>emergency 19:12</p> <p>enable 4:5</p> <p>encourage 6:11</p> <p>end 16:23</p> <p>english 4:18</p> <p>ensure 4:2</p> <p>entire 5:19</p> <p>environmental 6:5</p> <p>even 13:14 22:2,6,19 (4)</p> <p>ever 11:7</p> <p>every 12:18 13:3,9,11,11 17:7 (6)</p> <p>everybody 12:10 13:2 22:16 26:21 (4)</p> <p>everyone 5:5 18:17 24:13</p> <p>everything 5:23 15:17</p> <p>excited 5:15 7:11 16:24</p> <p>expedite 25:2</p>	<p>expeditiously 25:8</p> <p>experiences 11:7</p> <p>f 12</p> <p>fabian 8:17,21</p> <p>facebook 3:7</p> <p>faces 21:23</p> <p>families 11:15,16 12:7</p> <p>family 12:18</p> <p>father 21:4,4</p> <p>favor 8:10 9:6 24:21 25:10 26:6 (5)</p> <p>fear 20:6</p> <p>federal 6:18</p> <p>feel 5:18,20</p> <p>few 6:15 15:23</p> <p>field 12:12 13:6</p> <p>final 13:8 26:2</p> <p>financial 13:20 25:16</p> <p>financially 13:15</p> <p>find 16:8</p> <p>finding 25:5</p> <p>first 5:16,17 8:5 10:4,14 (5)</p> <p>fitting 10:14</p> <p>five 7:4 21:8 22:12</p>	<p>fixed 6:21 19:6,16</p> <p>floor 5:2 12:23</p> <p>follow 13:12</p> <p>food 11:16 12:3 19:24</p> <p>forgiveness 21:25</p> <p>formalize 6:15</p> <p>forth 27:8</p> <p>forward 17:6</p> <p>found 6:10</p> <p>four 5:21</p> <p>free 12:19</p> <p>fruition 10:18</p> <p>funding 13:20</p> <p>funeral 24:4,5</p> <p>further 27:12</p> <p>future 15:11,18 22:5</p> <p>galina 2:7 20:25</p> <p>garages 21:20</p> <p>general 13 8:2</p> <p>germiniker 2:7 20:20,21,24,25 23:17 (6)</p> <p>get 7:7 13:4</p> <p>getting 11:12 17:18 21:24</p> <p>given 21:16 27:10</p>	<p>giving 15:13 16:18 18:1</p> <p>glad 20:10</p> <p>go 4:23 12:22</p> <p>goal 15:3</p> <p>god 20:17</p> <p>goes 22:25</p> <p>going 5:24 9:12 12:5,6 17:5,23 18:5 22:9,10,11,13 23:1,19 24:2,3,4,5 (17)</p> <p>gone 11:10,21</p> <p>good 3:2 5:5 8:4,19 10:9,10,11,12 15:22,24 16:14,15 18:5,13,16,17 23:15,18 (18)</p> <p>government 6:4</p> <p>grandchildren 22:22</p> <p>grantee 19:1</p> <p>great 17:25 24:12 26:12</p> <p>guys 17:15</p> <p>hand 9:8 24:22 26:7 27:18 (4)</p> <p>hands 8:12,13 9:9 12:7 24:23 25:11,12 26:8 (8)</p> <p>happen 20:8 22:10,11,12 23:20 (5)</p> <p>happening 24:6</p>	<p>happy 21:23,25</p> <p>hard 7:19 15:25 17:11 20:11 (4)</p> <p>has 4:13 6:2 9:11 11:10,10 12:25 15:11 21:14 22:4,18,24 23:1,4,12,20 25:19 (16)</p> <p>he 14:24,24 15:3,4 21:5 (5)</p> <p>healthcare 12:4</p> <p>hear 18:14 20:22</p> <p>hearing 5 3:3,4,9 6:6,14 9:14 10:15 25:23 (9)</p> <p>held 9 25:23</p> <p>hello 16:12 18:13</p> <p>help 17:15</p> <p>helped 23:9</p> <p>her 21:3 22:21,25</p> <p>here 5:15 13:14 16:17 17:15 21:1 (5)</p> <p>hereby 27:6</p> <p>herein 27:8</p> <p>hereunto 27:17</p> <p>hi 10:9 20:21</p> <p>high 6:9 12:5</p> <p>historic 13:25</p> <p>hold 4:20</p> <p>holocaust 23:23</p>
--	---	--	--	--

home 20:6	incredibly 7:11,18	20:24 21:17,23 22:4,13,19,21	language 4:12	living 11:22
homeless 11:22	indiscernible 16:25 17:2,13,16,17,18 18:25 19:1,5,7,12,14 20:8,9 21:19 23:17 (16)	23:19 24:15,16 25:13,14 26:10 27:9 (53)	last 7:11 19:13 24:8	loan 12:13 13:11 15:4,7 17:19 19:5,9,16,16 21:24 22:12,14 (12)
honestly 11:8	individuals 4:11 15:23	isn't 21:4	law 25:17	loaning 21:22
hope 13:25 19:18	industry 5:19 12:11 14:25 15:1,10,11,18 18:6 22:5 23:9 (10)	issue 11:3	leave 13:16	loans 6:25 7:13,15 12:6 15:13 23:3 (6)
hopefully 17:5 18:5	inflation 6:18	issues 21:21	left 12:2	local 25:17
housing 11:25	inherited 21:3	item 8:5	lender 7:22 13:9,11 19:3,19 (5)	long 6:3 19:8
how 10:13 23:9	instead 12:4	its 7:21	less 6:22 21:8	longer 12:2
hundred 15:23	interest 6:19,21 7:3 19:6 25:20 (5)	jacques 21	let 7:10	look 15:8
hurdles 7:8	interested 6:12 27:15	jiha 21 5:14	license 7:4 8:18 9:4,7 (4)	losing 17:13 20:6
husband 14:20 15:19	interpretation 4:10	join 13:22	licensing 8:22	lost 15:11,17,25 17:20 (4)
i'm 5:9 8:21 9:2 10:19 11:12 16:2,8,20,24 17:2,18 18:19,19 20:5,5,10,18,25 21:1,1,25 25:1 (22)	interpreter 4:13,15,17,23 (4)	joined 5:9	life 11:9,12 12:9 13:18 15:7 17:9,10,11,21 (9)	love 20:11
i've 11:7	into 12:6	joining 3:11	lifechanging 26:15	m 23 27:4
ii 23:24	investment 14:23 15:8	judgment 20:5	lifesaving 12:9	made 4:14 5:23 7:5 10:17 12:1 13:10 21:11 (7)
implement 25:8	involved 21:13	julia 23 27:4	like 16:23 22:18	magazines 14:21
implementation 25:2,6	is 3:3,4,5,13,23 4:8,10,16 7:19 8:20 10:5,14 11:15 12:6,7,8,9,1 0,17,17 13:2,3,9,13,14,17 14:5,22 15:1,10,14 ,19,21,23 16:16,20 17:25 18:10,18	just 7:16 11:8,12 13:8 15:22 16:11 17:7 21:1,9,12 23:5,6 (12)	limited 3:19	majority 22:8
implementing 25:17		k 2:2	limousine 4 7:20	make 6:23 13:21 20:8
including 7:22		kenneth 20	listening 12:11	making 5:18,20 13:3 22:6 (4)
income 15:9 19:23 21:15		kest 18 5:13	literally 11:11,19	many 7:13 26:15
increased 6:18		kick 23:22	little 20:3	marblegate 12:12 13:13 19:3,4,19,21 (6)
increases 6:8		kid 19:24	livable 19:23	march 8:6,11 25:22
increasing 6:20		kids 17:3 20:1,2 22:21 (4)	live 3:6 19:22	
		know 10:16,16 11:5 21:20 22:15 23:3 24:3 (7)	lived 10:20	
		labor 13:7	lives 17:16 18:23 19:22	

marriage 27:14	message 4:21,25	18:13,16,17 (13)	22:21	october 6:7
matches 4:3	met 11:21	mortgages 12:5	name 3:13,17 4:2,3,16 8:20 16:20 18:18 20:24 (9)	off 15:4
matter 27:16	meter 6:8	most 11:6	nazis 23:25	officials 14:25
maturity 22:13	mic 14:6,14 16:8,11 18:11 (5)	mother 21:2,14 22:18,19 23:20 (5)	need 14:15 15:24 25:5	oh 9:2
may 3:21 7:2 26:5	microphone 3:16 10:2	motion 25:6,14 26:9	needs 15:22	once 18:2
mayor 18:24	million 7:16 11:14	mouhamadou 2:5 16:5,20	new 3 5:21,25 7:24 13:19 15:5 16:21 18:20 27:5 (9)	one 8:14 11:6 18:3 19:10 22:24 23:15 (6)
me 5:18,20 7:10 8:12 16:17,18 17:3,17 18:1,14 20:22 27:8 (12)	minifleet 15:3 22:17	move 26:5	newspapers 14:21	ones 23:10
mean 11:9,14 16:23 23:12 24:2 (5)	minutes 3:20 8:6,9,11,15 10:1 (6)	movement 12:16	next 8:16 14:5,9 16:5 18:10 (5)	only 7:20 17:22 21:7
medallion 6:16 7:13 9:15 13:17,20 14:22 15:10 18:25 21:8 22:17 25:20 (11)	miss 12:13	moving 17:6	niece 20:2	operation 13:2
medallions 21:3,6,19 23:21 26:16 (5)	mitchell 20 5:12	mrp 19:20	nine 19:8	opportunity 12:15 16:19 18:2
meeting 3:11 4:3,7,9 5:6,16 8:7 9:13 10:25 19:12,13 24:10 26:19 (13)	moderator 3:14,24 4:5 12:20 20:13 23:16 (6)	ms 3:2 5:1 8:4,14 9:2,10 10:7,7,9,10,11 12:22 14:3,9,12,12,18,19 16:3,13 18:8,15 20:20,20,21,23,24 23:17 24:7,18,24 25:13 26:9 (33)	no 10:6 12:2 14:8,17 15:4,5,5,8, 9,9,11,17,18 21:14,23 24:17 27:15 (17)	option 23:13
mega 13:20	modified 6:24	much 5:4 11:11 17:1,20 18:7,8 20:18 26:13 (8)	nobody 21:18	order 5:6 9:13 15:7
member 16:21 18:19	moment 17:21	must 19:19	notary 27:4	organization 10:25
members 10:11,20,22 11:21 16:15 19:13 23:8 (7)	money 11:15 12:2 21:22	muted 3:24	note 3:25	organizing 11:8
membership 10:25	monopoly 15:1,12,18	my 5:15,22 8:20 11:12 14:19 15:19 16:20 17:3,9,9,11,17,21 18:18 19:2,5,11,15 20:2,3,6,24 21:2,4,4,14 22:18,19,21 23:19,20 27:18 (32)	noted 26:22	osk 13:19
mercy 17:14	month 21:16	myself 20:1	now 5:1 8:8,16 9:12,24 12:6 15:8,24 20:3 22:1,2 24:9,14 25:1,15 (15)	other 21:15 23:8
	monthly 6:23		number 11:18	our 3:25 5:10,17,25 6:11,23,24 7:13,22,22,23 8:2,16 9:19 10:18,19 12:7,16 14:5,9 15:3,6,8,11 16:5 17:4 18:10,23 19:9,16 22:5 24:8 26:3,14 (34)
	months 5:21 19:8		o 12	ourselves 13:10
	morally 13:14			out 7:6 13:9
	more 18:4 19:10			
	morning 3:2 5:5 8:4,19 10:9,11,12 16:14,16,17			

23:4,8,22 24:2 (6) outcome 27:15 over 6:22 7:7,14 8:2 11:23 12:14 17:14 22:9 (8) own 15:14 owner 13:17 18:25 20:25 ownerdriver 7:2 13:16 18:19 ownerdrivers 6:24 19:22 owners 21:8,12 22:18 23:5 26:15 (5) owners' 7:13 p 2:2 part 21:11 participate 7:8 19:20 parties 6:12 27:13 partner 7:23 partners 7:22 partnership 18:6 pass 10:23,24 passed 9:11 passes 24:25 past 11:6 pay 6:9 12:5 15:4,7 21:16 22:14 (6)	payments 6:23 7:6 22:7 pension 15:9 people 12:1 21:24 22:7 23:7 (4) per 3:20 19:6 percent 6:21 19:6,16 period 7:4 25:7 person 25:19 personal 15:7 persons 3:8 perusing 16:9 phonetic 14:11 please 3:17 4:2,16,20,23 8:11 9:7 10:2 14:6,13,18 24:21 25:11 26:7 (14) pleasure 16:17 pledge 10:17 13:10,22 point 12:12 13:6 possible 5:23 posted 9:19 26:3 predatory 12:6 prepared 24:19 present 4:6 8:17 price 15:9 probably 22:9,22	proceed 3:18 proceedings 3:1 process 4:11 program 6:16,25 7:9 9:15 12:8 13:18,23 15:22,24 19:15,20 21:7,17 22:3,20 23:6,11,13,15,22 (20) promise 10:21 promised 15:12,17 promulgation 25:7 proposal 18:3 proposed 6:10 9:16 21:17 26:3 (4) protection 6:5 public 5 3:3,19 6:6 9:14,18 10:14 25:22,23 27:4 (10) published 9:16 25:21 put 12:25 qualified 22:19 qualify 23:11 qualifying 23:21 question 21:9 23:2,19 queue 14:15 r 12 2:2 raise 8:11 9:7	19:24 24:21 25:11 26:7 (6) raised 8:13 9:9 20:1 24:23 25:12 26:8 (6) rate 6:8,21 19:7,17 (4) rates 6:19 reach 23:8 reached 23:4 ready 3:16 4:20 real 12:17,17 really 12:24 17:19 18:2 received 9:22 25:25 recommend 24:15 recommendation s 9:5,7 record 9:17 25:22 27:10 refinancing 7:12 registered 3:10,25 regulatory 7:7 related 27:13 relief 6:16 7:15 9:15 remain 23:16 remaining 12:21 20:14 remarkable 11:7	remotely 9 3:5 renewal 8:23 repayments 19:17 repeat 4:17,21 repeated 4:25 reporter 23 require 4:12 requirement 25:19 reserve 6:19 resource 13:5 response 10:6 14:8,17 24:17 (4) rest 19:19 restitution 15:21 16:2 23:10 restructure 19:5,9,15 restructured 7:14 13:4 resulting 7:15 retire 20:16 retired 15:4,20 16:1 return 24:9 review 8:25 richard 2:6 18:10,18 right 13:12,14,22 16:3 18:16 (5)
---	--	---	--	---

<p>role 5:21</p> <p>rule 24:15,20,25 25:3,9,21 26:3,7 (8)</p> <p>rules 6:10,20 7:1,6 9:15,16,19 10:23,24 14:2 15:14 25:16 (12)</p> <p>s 2:2,2</p> <p>sacrificed 15:6</p> <p>sacrifices 12:1</p> <p>said 11:19 27:10</p> <p>same 19:21</p> <p>satisfy 23:6</p> <p>save 17:21</p> <p>saving 18:23</p> <p>say 7:10 11:12 13:9</p> <p>saying 17:16</p> <p>scott 3:2 5:1 14:9</p> <p>screen 16:9</p> <p>seconds 12:20 13:8 20:13 23:16 (4)</p> <p>security 21:15</p> <p>see 11:9 14:14 15:13 16:22 21:23 22:1 23:9,14 (8)</p> <p>september 8 9:20 26:1,2 27:18 (5)</p> <p>servicing 13:6</p> <p>set 27:8,18</p>	<p>several 11:23</p> <p>she 22:22,24 23:1,20,25 (5)</p> <p>she's 21:17 23:1,21,25 24:1 (5)</p> <p>shelter 11:16 12:3</p> <p>sherryl 13 8:2 26:13</p> <p>should 23:6,7,10</p> <p>sidelines 13:21</p> <p>sign 20:4</p> <p>signature 27:22</p> <p>signed 4:4 9:25 19:4</p> <p>signup 3:9 4:11 6:13</p> <p>simulcasted 3:6</p> <p>single 12:18 13:3</p> <p>sisters 12:15</p> <p>six 21:6 22:18 23:20</p> <p>small 13:17 23:7</p> <p>smooth 13:1</p> <p>so 5:4,15,18 7:6,11 8:1,10 10:19 11:10 13:2,7 16:24 17:1,7,10,13,20 18:1 19:11,18,21 20:7,9,10,17,18 21:9 23:2,19 26:13 (30)</p> <p>social 21:15</p>	<p>some 7:7</p> <p>somebody 21:10</p> <p>somewhere 17:25</p> <p>sorrentino 19 5:12</p> <p>sorry 9:2</p> <p>spanish 4:13,22,23,25 (4)</p> <p>speak 4:5,16 6:13 9:25 21:1 (5)</p> <p>speaker 3:20 10:4 14:5,10 16:5 18:10 24:8 (7)</p> <p>speakers 3:10 4:1 9:24 10:1 (4)</p> <p>speaking 3:12 11:3</p> <p>special 3:25</p> <p>speros 23 27:4</p> <p>stable 11:24</p> <p>staff 5:20 12:25 13:5</p> <p>stakeholders 11:2</p> <p>stand 14:1</p> <p>start 17:6,12,24</p> <p>started 5:21 21:5</p> <p>starting 16:22 17:3</p> <p>state 3:17 27:5</p> <p>step 7:10</p> <p>steps 13:13</p>	<p>steven 18</p> <p>stream 3:7</p> <p>street 20:10 22:23 23:2 24:2 (4)</p> <p>submit 6:12</p> <p>submitted 3:21 8:24</p> <p>successful 7:18</p> <p>sudden 17:12</p> <p>suffering 15:10</p> <p>suicide 24:5</p> <p>support 11:1,4</p> <p>sure 13:3</p> <p>survive 22:6</p> <p>survived 23:23,25</p> <p>surviving 24:1</p> <p>sworn 27:8</p> <p>table 12:3 19:24</p> <p>take 24:20</p> <p>taken 12:15</p> <p>taking 13:25</p> <p>talk 6:7 22:16,17</p> <p>talked 11:24</p> <p>tamara 2:4 14:10</p> <p>tanya 5:5</p> <p>taxi 4 6:7 7:20,24 14:20,22,25 15:19,20,20 16:21</p>	<p>18:20 (12)</p> <p>taxicab 7:3 25:20</p> <p>team 5:23</p> <p>tell 11:5,17</p> <p>term 12:13</p> <p>testify 3:8</p> <p>testimony 3:18,19,23 4:18 6:12 27:7,10 (7)</p> <p>than 21:15</p> <p>thank 4:19 5:1,4,17,19,22,25 9:11 13:24 14:2,3 16:3,18 18:1,7,8,22,24 19:2,2,11 20:7,17,18,19 24:6,7,12 25:13 26:12,13,17,20 (33)</p> <p>thankful 10:19 13:7</p> <p>thanks 7:19</p> <p>their 6:24 11:18,23 13:7 15:14 22:8 24:13 (7)</p> <p>them 19:19 22:1,8</p> <p>these 6:10 10:23 12:25 14:2 (4)</p> <p>thing 13:12</p> <p>think 11:20 16:22 17:25 22:3,4 (5)</p> <p>thomas 19</p>
---	--	--	---	--

<p>those 8:9 22:6 24:21 25:10 26:6 (5)</p> <p>thousands 12:14</p> <p>three 3:20 10:1 20:1</p> <p>through 6:25 11:10 17:1,1 (4)</p> <p>time 14:21 17:22 18:4 26:17,20,22 (6)</p> <p>tlc 5:9 12:22 13:5 15:14 22:3,15 25:24 (7)</p> <p>tlc's 3:6</p> <p>today 3:12 5:9,24 6:14 7:14 10:4 17:2 26:14 (8)</p> <p>today's 3:2 4:9</p> <p>together 13:1</p> <p>told 11:2</p> <p>tomorrow 17:24</p> <p>took 7:6</p> <p>total 21:6</p> <p>tragedy 11:11</p> <p>transcript 27:9</p> <p>transformative 11:13</p> <p>true 27:9</p> <p>truly 12:8</p> <p>trying 16:8</p> <p>tunnel 16:23</p>	<p>turn 8:1</p> <p>two 7:12 8:14 20:2 22:11 (4)</p> <p>unable 21:18</p> <p>unanimous 25:14</p> <p>unanimously 8:15 9:11 11:1 24:25 26:10 (5)</p> <p>unbelievably 13:1</p> <p>under 19:15</p> <p>understand 21:7</p> <p>union 18:21 19:11,12</p> <p>unions 7:8</p> <p>unit 8:22</p> <p>unless 22:7</p> <p>unmute 10:2 14:6,14,16 16:7,11 18:11 (7)</p> <p>until 4:20 20:15</p> <p>up 4:4 9:25 10:20</p> <p>updated 9:18</p> <p>urge 10:22 17:7,22 18:2 (4)</p> <p>us 13:22 14:1 15:16 26:11 (4)</p> <p>use 11:16</p> <p>used 4:4</p> <p>using 4:15</p> <p>vacation 15:5</p>	<p>velasquez 16 5:11 6:2,2 (4)</p> <p>version 9:18 26:2</p> <p>very 5:25 18:7,8 21:25 (4)</p> <p>via 10 3:5,11</p> <p>victory 12:16</p> <p>video 3:12,24</p> <p>virtually 25:24</p> <p>vishnaviakova 2:4 14:11,13,19 (4)</p> <p>volume 6:9</p> <p>vote 5:24 6:15 8:8 9:3,11 13:25 14:1 17:8,8,22 18:3,23 24:19,20,24 25:4,13,15 26:6,15 (20)</p> <p>voted 6:17 19:14</p> <p>wait 19:9</p> <p>waiting 19:8</p> <p>waive 25:6</p> <p>want 5:16,19,22,25 8:1 13:8 15:15 17:7,20 19:11 22:1,15 23:22 (13)</p> <p>war 23:24</p> <p>wasn't 22:20</p> <p>way 15:14 19:21 23:14 27:15 (4)</p> <p>we're 5:24 9:12 13:7 16:22 17:5</p>	<p>18:5 25:4 (7)</p> <p>we've 7:5</p> <p>website 3:6 6:11 9:19 26:3 (4)</p> <p>week 11:6</p> <p>weekandahalf 7:17</p> <p>weeks 7:12</p> <p>welcome 5:18,20 18:4</p> <p>welcoming 13:2</p> <p>well 5:4 24:12 26:12</p> <p>wellregulated 15:2</p> <p>went 11:1 16:25 17:1,13 (4)</p> <p>what 5:24 13:13,14 17:19 22:4,15 (6)</p> <p>what's 22:9,10,11 23:19 24:6 (5)</p> <p>when 3:13,16,22 4:4,16 7:12 10:2 (7)</p> <p>where 17:11 23:12</p> <p>whereof 27:17</p> <p>which 22:21 25:18</p> <p>who 3:10 5:23 6:24 11:19,21,23 15:23,25 18:23 20:3,8 21:3,8,11,13 22:16,18</p>	<p>23:5,11,23 (20)</p> <p>who's 21:2 22:13</p> <p>whose 27:7</p> <p>why 15:19</p> <p>will 3:14,15,19,24 4:5,17,21 5:1 6:6,14,20,23 7:1 8:8,16 9:24 10:1 14:1,10 16:5 22:5 24:20 25:6,8,15 26:19 (26)</p> <p>wishing 3:8</p> <p>within 27:5,9</p> <p>witness 27:7,11,17</p> <p>woman 21:3</p> <p>won 12:16</p> <p>wonderful 10:13</p> <p>work 7:19 15:25 17:10</p> <p>workers 7:24 16:21 18:20</p> <p>workforce 11:9</p> <p>working 11:15 15:24 20:10,11,15 (5)</p> <p>works 21:7</p> <p>world 13:11 23:24</p> <p>worried 20:5</p> <p>would 10:18 11:3 17:12 21:18 22:22 (5)</p>
---	--	---	--	---

<p>writing 3:22</p> <p>written 9:21</p> <p>x 2,6</p> <p>year 6:17 19:6 22:6,10 (4)</p> <p>years 6:22 7:4 11:23 14:19 15:25 22:1,2,11,12,13 (10)</p> <p>yes 10:9 14:2 16:13 17:8,22,23 18:3,15,23 20:21,23 26:9 (12)</p> <p>yield 5:2</p> <p>york 3 7:24 13:19 16:21 18:20 27:5 (6)</p> <p>you're 3:11 14:15 24:19</p> <p>your 3:12,13,14,1 6,17,18,22,23 4:2,16,17,19 8:12,25 9:8 10:2,14,16 12:13,14,18 13:22 14:3,6,14 16:4,7,11 18:9,11 24:7,22 25:11 26:7,17 (35)</p> <p>zoom 10 3:5,11 4:3 (4)</p> <p>850 7:14</p> <p>935 5:7</p> <p>959 26:20,22</p> <p>2022 8 8:7 9:17 25:17,22 27:19 (6)</p> <p>3100 12:22</p>				
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