IN THE SUPREME COURT OF MISSISSIPPI

No. 2008-CA-01490

BARBARA JONES **APPELLANT**

V.

LAUREL FAMILY CLINIC, P.A. **APPELLEE**

AMENDED BRIEF OF APPELLANT

APPEAL FROM ENTRY OF JUDGMENT
FROM CIRCUIT COURT FOR THE SECOND
JUDICIAL DISTRICT OF JONES COUNTY, MISSISSIPPI

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CERTIFICATE OF INTERESTED PERSONS

The undersigned counsel of record for the Appellant certifies that the following are listed in order that the justices of this Court may evaluate possible disqualification or recusal.

1. Appellant, Barbara Jones, 1766 CR 31, Heidelberg, Mississippi, 39439.
2. James W. Nobles, Jr., Attorney for Appellant, 201 Clinton Parkway, Clinton, Mississippi 39056.
3. William R. Ruffin, Attorney for Appellant, Post Office Box 565, Bay Springs, Mississippi 39422.
4. Richard O. Burson, Esquire, Gholson Burson Entrekin & Orr, Post Office Box 1289 Laurel, Mississippi 39441.
5. Honorable Billy Joe Landrum, Jones County Circuit Court Judge, Post Office Box 685, Laurel, Mississippi 39441.

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Jeremy Juan Jones, a Minor, filed suit (R3-12) in the Circuit Court for the Second Judicial District of Jones County, Mississippi, against South Central Regional Medical Center, after having given the statutory Notice of Claim required by the Mississippi Tort Claims Act and the Certification of the Attorney as to the claim having been reviewed by a medical doctor and that the claim was meritorious. Suit was filed on the 84th day following the Notice of Claim. A Motion to Dismiss(R16-25) was filed by the Defendant, urging strict construction of the Mississippi Tort Claims Act Notice and filing requirements, and was dismissed by the Honorable Trial Court because the suit was filed before the expiration of the 90 day period following Notice of Claim. Subsequently, Plaintiff moved to add Dr. Doran (R68-76), after learning that Laurel Family Clinic, which ostensibly was operated by the South Central Medical Center, was in fact operated by a foundation, not the hospital (R104-107). Subsequently, also, the Defendant propounded interrogatories and requests for production of documents to the Plaintiff (R43-45), before the Motion to Dismiss was heard.

The Court dismissed the cause with prejudice (R127-129), and Plaintiff timely filed his Notice of Appeal (R130-131) and complied with Rule 11(c) by payment of the costs of the record (R135-136). The matter is before the Court on appeal from the Order entered by the Trial Court granting South Central Medical Center Summary Judgment.

STATEMENT OF THE ISSUES

1. Whether, as a matter of law, the Mississippi Tort Claims Act is unconstitutional in that it provides unequal protection to Plaintiff and Independent Physicians and whether such unequal protection is constitutionally permissible under the Seventh and Fourteenth Amendments to the United States Constitution

2. Whether, as a matter of law, the Mississippi Tort Claims Act protections should extend to or apply to a stand alone clinic which has elected to become a member of a foundation sponsored by a governmental agency, violate anti-trust, unfair competition and price fixing provisions of the Sherman Anti-Trust Act.

3. Whether the Mississippi Tort Claims Act statute of limitations which was applied by the Trial Court violates the equal protection clause of the fourteenth amendment to the United States Constitution by diminishing the time in which an injured plaintiff is allowed to file suit against an physician operating a medical practice which is unconnected with a County Owned Hospital as opposed to physicians who practice medicine under the guise of being employed by the County Owned Hospital, when in fact they joined a foundation which augments the County Hospital and are not employed by the hospital.

SUMMARY OF THE ARGUMENT

Jeremy Juan Jones, a Minor, was seen and treated at the Laurel Family Clinic in Laurel, Mississippi by Dr. Doran, a physician employed at the clinic. Dr. Doran mis-diagnosed tortion on the testicular cords resulting in the loss of Jeremy Juan Jones testicle. At the time of the treatment rendered, or the lack thereof, Dr. Doran was employed by a foundation into which Laurel Family Clinic was incorporated (R104-106)following the enactment of the Mississippi Tort Claims Act, and decisions of this Court holding that employees of a state subdivision were covered under the Mississippi Tort Claims Act. Suit was filed in this case (R3-12), after the proper statutory notice of claim was given to South Central Regional Medical Center (R7-8), after Plaintiff's attorneys were informed that Dr. Doran was an employee of the Hospital. Subsequent discovery shows that Dr. Doran was not employed by the Hospital, but by a foundation into which Laurel Family Clinic was merged (R104-106). The arguments which follow are:

a. The Mississippi Tort Claims Act is unconstitutional in that it provides unequal protection to Plaintiffs and independent physicians for medical negligence claims because:

1. The statute of limitations against independent physicians is two years versus 1 year under the Mississippi Tort Claims Act; Plaintiff is penalized by receiving medical care from the Laurel Family Clinic by removing his right to trial by jury guaranteed by the Seventh Amendment to the United States Constitution, and the time in which he was required to file suit was 1 year following the negligence as opposed to two years with a private physician;

2. The private physician must acquire and pay for medical malpractice premiums which

are not required to be obtained and paid by Laurel Family Clinic, assuming that it comes under the terms and provisions of the Mississippi Tort Claims Act. The private physician is not afforded sovereign immunity as opposed to the physicians at Laurel Family Clinic. The Mississippi Tort Claims Act gives the Physicians at Laurel Family Clinic an unfair competitive advantage as opposed to private physicians.

b. The Mississippi Tort Claims Act allows and permits the Laurel Family Clinic and its physicians to violate the unfair competition, price fixing and anti-trust provisions of the Sherman Anti-Trust Act.

c. The Mississippi Tort Claims Act requires that after receiving Notice of Claim, that an investigation be done, that corrective measures be taken by the agency, and claim settled, if warranted during the 90 days following Notice of Claim. Such was not done here. The strict construction of the Mississippi Tort Claims Act with regard to filing suit 6 days prior to the expiration of the 90 days, works an unreasonable forfeiture and the strict construction of the notice and filing provisions are pernicious, confusing and constitute holdings which are detrimental to the public at large.

This cause ought to be reversed and Plaintiff's cause of action reinstated, or the matter be reversed and remanded to allow the Plaintiff to amend his complaint to name only Dr. Doran as the proper defendant, who should not be afforded sovereign immunity protection under the Mississippi Tort Claims Act.

ARGUMENT

Plaintiff asserts three basic arguments here. First, Plaintiff is denied equal protection of the law by the Mississippi Tort Claims Act which provided sovereign immunity protection to physicians who practice medicine for a foundation, which should not be afforded such protection since the same is discriminatory against both Plaintiffs and private physicians. The Foundation which operates Laurel Family Clinic is not the South Central Regional Medical Center, but is a foundation which was created and apparently implemented to effect such discrimination and unequal protection of the law for the patients seeking medical treatment at Laurel Family Clinic. The Seventh Amendment to the United States Constitution guarantees the right to jury trial to private citizens. Dr. Doran has elected to practice medicine in a clinic which is provided protection from exposure to jury trials, by artifice created by the foundation. Plaintiff is therefore deprived of his right to trial by jury as a result of Dr. Doran's negligence.

The Seventh Amendment provides:

> In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

Jeremy Juan Jones constitutional right to trial by jury for Dr. Doran's common law negligence is not preserved here.

The equal protection clause of Fourteenth Amendment to the Unites States Constitution states:

> ... No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws...."

Section 11-46-11 denies to Jeremy Juan Jones equal protection of the law and deprives him of his right to trial by Jury and unconstitutionally reduces the applicable statute of limitations from two years against a private physician to one year under the Tort Claims Act. The Tort Claims act also fails to provide equal protection to private physicians by exposing them to a two year statute of limitations and by providing an unfair competitive advantage to physicians like Dr. Doran who chose to practice with a Clinic which, as far a the public knows, is a private clinic, and which has the advantage of sovereign immunity and being covered under the Mississippi Tort Claims Act and does not require it to purchase and pay for medical negligence liability insurance.

Strict construction of the filing requirements under the Mississippi Tort Claims Act works a forfeiture, without due process, of the rights of the injured patient. Based on this Court's present *state decisis*, such construction is pernicious, misleading and confusing. Strict construction of the filing requirements is a mine field for lawyers seeking redress for their clients for injuries sustained as a result of doctors ostensibly employed by a subdivision of the state. One only has to look at all the cases which preceded, **Univ. of Miss. Med. Ctr. v. Easterling,** 928 So.2d 815, 819-20(¶ 22) (Miss.2006). and the cases following that ruling to see that confusion exists which is pernicious and is damaging to the public.

This Court examined the pernicious issue in **Caves v. Yarbrough** 991 So.2d 142, 151,152 (Miss.,2008.)

> In stare decisis generally, we look for error, but, finding that, we look for more and we look largely in the area of public or widespread disadvantage. Ordinarily, we do not overrule erroneous precedent unless it is "pernicious," Stone v. Reichman-Crosby Co., 43 So.2d 184, 190 (Miss.1949); "impractical," Robinson v. State, 434 So.2d 206, 210 (Miss.1983) (Hawkins, J., concurring); or is "mischievous in its effect, and resulting in detriment to the

public." Childress v. State, 188 Miss. 573, 577, 195 So. 583, 584 (1940). We look for "evils attendant upon a continuation of the old rule." Tideway Oil Programs, Inc. v. Serio, 431 So.2d 454, 467 (Miss.1983).

¶ 38. Thus, our precedent applying stare decisis may be summed up as follows: Even though this Court's previous interpretation of a statute was (in the current Court's view) erroneous, we must continue to apply the incorrect interpretation unless we consider it "pernicious," "impractical," or "mischievous in ... effect, and resulting in detriment to the public." Id.

What can be more mischievous and a detriment to the public than to dismiss a legitimate cause of action because it is file a few days early, which the Defendant waits with baited breath to spring the trap to gain dismissal of what is a legitimate claim with an illegitimate defense.. To countenance dismissal with prejudice of Jones' claims here promotes a cottage industry of sharp practice. That is to say, that the state agency, after receiving Notice of Claim of a legitimate claim for damages, for which there is obvious liability, does nothing, and waits to see if the Plaintiff files a few days early or a few days late to defeat the claim. Here, the Defendant did nothing and waited until the claim was filed 6 days early, then moved to dismiss based on **Univ. of Miss. Med. Ctr. v. Easterling,** supra. Justice Dickinson's footnotes in **Caves v. Yarbrough**, supra are pertinent here:

> FN14. Dictionary definitions of "mischievous," including "playful," and "troublesome." American Heritage Dictionary ® of the English Language (4th Ed.2004) http:// dictionary. reference. com/ browse/ mischievous (Aug 23, 2008)
>
> FN15. Included in the dictionary definitions for "pernicious" is "that which annoys or gives trouble and vexation, that which is offensive or noxious." Webster's Revised Unabridged Dictionary http:// dictionary. reference. com/ browse/ pernicious (August 23, 2008).

In **Love Mfg. Co. v. Queen City Mfg. Co.**, 74 Miss. 290, 20 So. 146, 148 (Miss. 1896).

Chief Justice Cooper examining perniciousness wrote:

> Fifty years of added judicial observation of the monstrous perversions of justice which * constantly result from maintaining this doctrine have already had the effect of breaking most materially the then almost unanimous array of authorities upholding this pernicious doctrine; so that now, while it may be conceded that the numerical weight of authority still asserts the doctrine, an array of authorities not much less in mere number repudiate it. And when the disposition to adhere to the rule of stare decisis is considered, especially when the majority of the courts are to be confronted by the court taking the new view, it is not difficult to understand why courts which have (dealing with new conditions and new creations of our complex modern civilization, under the duty of pioneering their way, with inadequate light) first erred should afterwards adhere to the error, seeking refuge in the fact that there have been such decisions, instead of keeping steadily in view the pole star by whose light courts should steer,-the administration of justice and right,-and without sufficiently remembering (what the course of enlightened jurisprudence has, through its whole history, illustrated) that to accomplish this fundamental purpose of the existence of courts of justice the principles of law must be molded, in light of .the evolution of social conditions and the development of the new agencies of civilization, so as to work out (in the exigencies confronting the courts, growing out of this development

In **State ex rel. Moore v. Molpus**, 578 So.2d 624, 635, 636 (Miss.,1991), Justice Robertson wrote:

> In stare decisis generally, we look for error, but, finding that, we look for more and we look largely in the area of public or widespread disadvantage. Ordinarily, we do not overrule erroneous precedent unless it is "pernicious," Stone v. Reichman-Crosby Co., 43 So.2d 184, 190 (Miss.1949); "impractical," Robinson v. State, 434 So.2d 206, 210 (Miss.1983) (Hawkins, J., concurring); or is "mischievous in its effect, and resulting in detriment to the public." Childress v. State, 188 Miss. 573, 577, 195 So. 583, 584 (1940). We look for "evils attendant upon a continuation of the old rule." Tideway Oil Programs, Inc. v. Serio, 431 So.2d 454, 467 (Miss.1983).
>
> One accepted ground for judicial overruling of a demonstrably erroneous prior constitutional

interpretation is that, across the years, it has produced great and sustained harm; in Power 's words, if it is "clearly ... hurtful ..." 130 Miss. at 235, 93 So. at 777. The test is an objective one, that we find over time the precedent has repeatedly had a substantial adverse or significantly harmful effect upon the people. Nationally, we think of Brown v. Board of Education, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954) (overruling interpretation of Equal Protection Clause that allowed state-imposed racial segregation); Baker v. Carr, 369 U.S. 186, 82 S.Ct. 691, 7 L.Ed.2d 663 (1962) (announcing one man, one vote interpretation and overruling prior holdings of non-justiciability of "political" questions); Gideon v. Wainwright, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963); (overruling interpretation of right to counsel in Sixth and Fourteenth Amendments that had allowed states to secure non-capital criminal convictions of uncounseled defendants); Wickard v. Filburn, 317 U.S. 111, 63 S.Ct. 82, 87 L.Ed. 122 (1942) (overruling sub silentio restrictive interpretation of commerce clause and restricting substantive due process). Recent forward leaps within this state include Alexander v. State ex rel. Allain, 441 So.2d 1329 (Miss.1983) (overruling prior judicial deference to Legislature's expansive interpretation of its powers to include manning and dominationof key executive boards, agencies and departments); and Newell v. State, 308 So.2d 71 (Miss.1975) and progeny (overruling prior restrictive interpretation of judicial power in face of great public inconvenience caused by archaic rules of practice and procedure in state courts).

McCaffrey's Food Market, Inc. v. Mississippi Milk Commission, 227 So.2d 459 (Miss. 1969.) examined rules of statutory construction:

There is another rule of statutory construction that may be used to aid the court in its effort to ascertain the intent of the legislature and to find the meaning of a statute. This rule is expressed by the textwriter in 50 Am.Jur. Statutes s 368, p. 373 (1944), as follows:

'* * * Where the language of a statute is doubtful and the necessity for construction arises, the court may consider whether the legislature could have intended a construction that would be highly injurious, rather than one beneficial and harmless. Under such circumstances, it is presumed that undesirable consequences were not intended; to the contrary, it is presumed that the statute was intended to have the most beneficial operation that the language permits. **It is accordingly a reasonable and safe rule of construction to resolve any ambiguity in a statute in favor of a beneficial operation of the law, and a construction of which the statute is fairly susceptible, is favored, which will avoid all objectionable, mischievous , indefensible, wrongful, evil, and injurious consequences. * * *' (emphasis added).**

Mississippi Farm Bureau Mut. Ins. Co. v. Parker, 921 So.2d 260, 263 (Miss.,2005) examined discovery abuses and sharp practices, Citing ***Dondi Properties Corp. v. Commerce Savings & Loan Ass'n***, 121 F.R.D. 284 (N.D.Tex.1988), (en banc).:

> We address today a problem that, though of relatively recent origin, is so pernicious that it threatens to delay the administration of justice and to place litigation beyond the financial reach of litigants. With alarming frequency, we find that valuable judicial and attorney time is consumed in resolving unnecessary contention and sharp practices between lawyers. Judges and magistrates of this court are required to devote substantial attention to refereeing abusive litigation tactics that range from benign incivility to outright obstruction. Our system of justice can ill-afford to devote scarce resources to supervising matters that do not advance the resolution of the merits of a case; nor can justice long remain available to deserving litigants if the costs of litigation are fueled unnecessarily to the point of being prohibitive.
>
> As judges and former practitioners from varied backgrounds and levels of experience, we judicially know that litigation is conducted today in a manner far different from years past. Whether the increased size of the bar has decreased collegiality, or the legal profession has become only a business, or experienced lawyers have ceased to teach new lawyers the standards to be observed, or because of other factors not readily categorized, we observe patterns of behavior that forebode ill for our system of justice. We now adopt standards designed to end such conduct.
>
> We think the standards we now adopt are a necessary corollary to existing law, and are appropriately established to signal our strong disapproval of practices that have no place in our system of justice and to emphasize that a lawyer's conduct, both with respect to the court and to other lawyers, should at all times be characterized by honesty and fair play.

The language of this Court in **Bunton v. King**, 995 So.2d 694 (Miss.,2008) was:

> ¶ 8. This Court has held that "the ninety-day notice requirement under section 11-46-11(1) is a hard-edged, mandatory rule which the Court strictly enforces." Univ. of Miss. Med. Ctr. v. Easterling, 928 So.2d 815, 820 (Miss.2006).

Therein lies the pernicious, misleading, troublesome, vexatious and noxious application of

the rule of strict construction. This hard-edged mandatory rule flies in the face of the spirit of the law, which abhors a forfeiture, which has occurred here. This is a complete reversal of the language used by the Court in **Powell v. City of Pascagoula**, 752 So.2d 999 (Miss.,1999), where the Court held:

> ***The purpose of the Act is to insure that governmental boards, commissioners, and agencies are informed of claims against them. Such notice encourages entities to take corrective action as soon a possible when necessary; encourages pre-litigation settlement claims; and encourages more responsibility by these agencies.***

In **Illinois Cent. R. Co. v. Holman**.106 Miss. 449, 64 So. 7(Miss. 1914.) The Court held:

> The act of Congress was adopted for the purpose of putting everybody upon equal terms, and to destroy the pernicious practice of discrimination.

Reversal of this Case is authorized by reason, by application of law which will eliminate hard edged rules which are troublesome, vexatious and a detriment to the public. The public needs to be placed upon equal terms with the subdivisions of this State which are negligent and cause injuries to its citizens.

UNFAIR COMPETITIVE ADVANTAGE AND ANTI-TRUST VIOLATIONS

The Laurel Family Clinic physicians enjoy an unfair competitive advantage as opposed to private physicians. It amounts to a violation of the Sherman Anti-Trust Act. In **Weiss v. York Hosp.**, 745 F.2d 786 (C.A.Pa.,1984.), the Court of Appeals considered utilization of a foundation or combination of doctors for unfair competitive advantage and violation the Sherman Act. Citing **Associated Press v. United States, 326 U.S. 1, 65 S.Ct. 1416, 89 L.Ed. 2013 (1945),**

The Sherman Act was specifically intended to prohibit independent businesses from becoming "associates" in a common plan which is bound to reduce their competitor's opportunity to buy or sell the things in which the groups compete. Victory of a member of such a combination over its business rivals achieved by such collective means cannot consistently with the Sherman Act or with practical, everyday knowledge be attributed to individual "enterprise and sagacity"; such hampering of business rivals can only be attributed to that which really makes it possible-the collective power of an unlawful combination.

....Two recent Supreme Court cases reaffirm that a single entity made up of independent, competing economic entities satisfies the joint action requirement of Sherman Act section 1. In Arizona v. Maricopa County Medical Society, 457 U.S. 332, 102 S.Ct. 2466, 73 L.Ed.2d 48 (1982), the defendants, the Maricopa Foundation for Medical Care and the Pima Foundation for Medical Care, were non-profit Arizona corporations composed of licensed doctors of medicine, osteopathy, and podiatry engaged in private practice. The Foundations were "organized for the purpose of promoting fee-for-service medicine and to provide the community with a competitive alternative to existing health insurance plans." Id. at 339, 102 S.Ct. at 2470. The Court simply assumed without discussion that the actions of each foundation satisfied the "contract combination ... or conspiracy" element of section 1. Similarly, in National Society of Professional Engineers v. United States, 435 U.S. 679, 98 S.Ct. 1355, 55 L.Ed.2d 637 (1978), the defendant, an association of professional engineers organized to deal with "the nontechnical aspects of engineering practice," id. at 682, 98 S.Ct. at 1360, had adopted an ethics canon prohibiting competitive bidding. Once again the Court simply assumed, without discussion, that the defendant was a combination of its members. See also Virginia Academy of Clinical Psychologists v. Blue Shield of Va., 624 F.2d 476, 479-481 (4th Cir.1980), cert. denied, 450 U.S. 916, 101 S.Ct. 1360, 67 L.Ed.2d 342 (1981) (Blue Shield of Virginia deemed an agent under the direction and control of its member physicians, and therefore its actions were that of a "combination" for section 1 purposes).

On the basis of these cases, we believe that the actions of the York medical staff are the actions of a combination of the individual doctors who make it up. In substance, the medical staff is a group of individual doctors in competition with each other and with other physicians in the York MSA, who have organized to regulate the provision of medical care at York hospital. Where such associations exist, their actions are subject to scrutiny under section 1 of the Sherman Act in order to insure that their members do not abuse otherwise legitimate organizations to secure an unfair advantage over their competitors.

In **Arizona v. Maricopa County Medical Soc.**, 457 U.S. 332, 348,349 102 S.Ct. 2466

(U.S.Ariz.,1982.), the United States Supreme Court held.

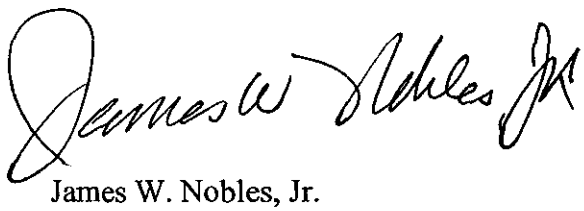
> Nor does the fact that doctors-rather than nonprofessionals-are the parties to the price-fixing agreements support the respondents' position. In Goldfarb v. Virginia State Bar, 421 U.S. 773, 788, n. 17, 95 S.Ct. 2004, 2013, n.17, 44 L.Ed.2d 572 (1975), we stated that the "public service aspect, and other features of the professions, may require that a particular practice, which could properly be viewed as a violation of the Sherman Act in another context, be treated differently." See National Society of Professional Engineers v. United States, 435 U.S. 679, 696, 98 S.Ct. 1355, 1367, 55 L.Ed.2d 637 (1978). The price-fixing agreements in this case, however, are not premised on public service or ethical norms. The respondents do not argue, as did the defendants in Goldfarb and Professional Engineers, that the quality of the professional service that their members provide is enhanced by the price restraint. The respondents' claim for relief from the per se rule is simply that the doctors' agreement not to charge certain insureds more than a fixed price facilitates the successful marketing of an attractive insurance plan. But the claim that the price restraint will make it easier for customers to pay does not distinguish the medical profession from any other provider of goods or services.
>
> Whatever economic justification particular price-fixing agreements may be thought to have, the law does not permit an inquiry into their reasonableness. They are all banned because of their actual or potential threat to the central nervous system of the economy." United States v. Socony-Vacuum Oil Co., 310 U.S. 150, 226, n. 59, 60 S.Ct. 811, 844, n. 59, 84 L.Ed. 1129 (1940).

Laurel Family Clinic and the South Central Medical Foundation have accomplished, through the auspices of the Mississippi Tort Claims Act, the acts prohibited by the Sherman Act. This violation should not be allowed to continue. The Court should look through the foundation at the real issue, that is that the Laurel Family Clinic physicians and others around the state who chose to come under the umbrella of the Mississippi Tort Claims Act to shield themselves from common law liability, and garner sovereign immunity protections, eliminating the need for medical negligence liability insurance violates the Sherman Act. Such practices should not be allowed to continue.

CONCLUSION

The Summary Judgment rendered by the Trial Court should be reversed and this cause remanded to the Circuit Court for the Second Judicial District of Jones County, Mississippi, with directions to dismiss the South Central Regional Medical Center and substitute in its place, Dr. Doran as the proper defendant, in his individual capacity. This action would place Dr.Dorian and the Plaintiff on equal footing, granting Jeremy Juan Jones equal protection and guaranteeing him the right of trial by Jury.

Respectfully submitted.



James W. Nobles, Jr.

CERTIFICATE OF SERVICE

I, James W. Nobles, Jr., do hereby certify that I have this day served by United States Mail, Postage paid, a true and correct copy of the above and foregoing to:

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SO CERTIFIED this the 27th day of February A.D., 2009.

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