

THE LEGISLATURE OF THE STATE OF

Joint Resolution No. _____

Title: DELEGATE RESOLUTION

Instructions to Delegates at the Unborn Child Amendment Federal Convention which was Called for by the State of’s Legislature in Resolution No. _____

WHEREAS, **Article IV, Section 4** of the Constitution of the United States guarantees to every State a Republican form of government that gives each State equal standing when calling for a Federal Amendment Convention. **Article V** of the Constitution of the United States reserves to the State Legislatures the right to Call for a Federal Convention for the purpose of *proposing amendments* to the United States Constitution when Congress, the Courts, and/or the Executive Branch refuse to address an egregious wrong suffered by the people; and

WHEREAS, The State Legislatures *alone* have the authority to “limit” the agenda and authority of Delegates and/or Alternates (hereafter referred to as “*Delegates*”) they send to a convened Federal Convention. This authority does not reside in United States Congress, nor in the Federal or State Courts, nor in the Federal Executive Branch, nor in the State Executive Branch of government. This authority resides solely in State Legislatures.

WHEREAS, The authority of Congress, under Article V of the United States Constitution, requires it to convene a Convention as Called for and defined by the State Legislatures of the Several States; and

WHEREAS, The “*Delegates*” sent by the State Legislature to the *Unborn Child Amendment Federal Convention* (hereafter referred to as “*Convention*”) are Ambassadors of the State of and required to fulfill the Commission given to them by the Legislature of They are not free agents. They are empowered only to complete the terms and conditions defined by’s State Legislature in this *Delegate Resolution* (hereafter referred to as “*Resolution*”).

WHEREAS,’s State Legislature hereby defines the duties and limits the authority of its “*Delegates*” at the “*Convention*” in this “*Resolution*”;

Resolved by the Legislature of

The State of hereby authorizes that “*Delegates*” be summoned and appointed to participate at the convened “*Convention*” according to the terms and conditions set forth in this “*Resolution*”.

The number and qualifications of Delegates (or Alternates if authorized) to be sent to the convened “*Convention*” will be decided by the State Legislature after the United States Congress summons Delegates from the State of to the convened “*Convention*”.

1. The Legislature of the State of can add to, replace or remove any Delegate or Alternate if in its sole discretion such action is necessary.
2. Alternates will have no official role at the “*Convention*” and can attend the “*Convention*” only if the State Delegations at the “*Convention*” vote to allow their attendance and/or the State Legislature appoints an Alternate to take the place of a Delegate at the “*Convention*”.
3. The State of reserves to itself the right to alter and change this “*Resolution*” if in its sole discretion such action is necessary. “*Delegates*” will be bound by any such alteration or change to this “*Resolution*”.

The Legislature of the State of hereby instructs and authorizes its Delegates at the “*Convention*” to vote to send the *Unborn Child Amendment*, as herein written in Section E, back to the States for ratification via the United States Congress..’s Delegates are prohibited to vote for any alternate or modified version of the *Unborn Child Amendment* that might be introduced at the “*Convention*” and they are hereby instructed to do all in their power at the “*Convention*” to secure a vote that approves sending the *Unborn Child Amendment*, as herein written in Section E, back to the States for ratification.

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The Legislature of the State of will not vote to ratify any alternate Amendment or modified version of the *Unborn Child Amendment* that may be sent to it for ratification via Congress by the “*Convention*”. Only the *Unborn Child Amendment*, as herein written, will be considered by the State Legislature for ratification.

The Legislature of the State of, upon the enactment of this “*Resolution*”, will select and appoint three members to the Delegate Credential Committee (hereafter referred to as “*Committee*”). The “*Committee*” will have the responsibility and requisite authority to perform each of its assigned duties (charges) described in SECTION A.

1. “*Committee*” members can be added to, replaced or removed if in the sole discretion of the State Legislature such action is necessary.
2. Each member of the “*Committee*” is required to take the following oath and sign a Pledge Document confirming that the oath has been taken and agreed to. The following oath shall be administered by Leadership in the House and/or Senate:

“I pledge to follow the instructions and charges in this “*Resolution*” and any other directives given to me by the State of’s Legislature from the date I am appointed to the “*Committee*” and during the full term of the “*Convention*” to the best of my abilities so help me God.”

SECTION A. DUTIES OF THE “DELEGATE CREDENTIAL COMMITTEE”

“*Committee*” members will be required to follow the directives in this “*Resolution*” and others that may be issued from time to time by the State Legislature.

The “*Committee*” will have the requisite authority to remove or replace any Delegate or Alternate if, in its sole discretion, such action is necessary.

The “*Committee*” is charged with the following duties:

1. Decide all matters among “*Committee*” members with a simple majority vote.
2. Function as the official facilitator for the State Legislature as required in this “*Resolution*”.
3. Appoint “*Delegates*” to the “*Convention*” who the State Legislature has summoned and authorized.
4. Appoint one likeminded Delegate to serve as the Chairman of’s State Delegation and to be the Spokesman for the State Delegation at the “*Convention*”.
5. Appoint one Delegate to serve as the Assistant Chairman of’s State Delegation and to be the Spokesman in the absence of the Chairman.
6. Issue to each certified Delegate and/or Alternate (including the Chairman and Assistant Chairman) a Certification Certificate after they have satisfactorily:
 - a. Met the requisite qualifications established by the State Legislature,
 - b. Taken the applicable oath in Item 9. of Section A., and
 - c. Confirmed their oath by signing a separate Pledge Document
7. Issue to each Certified Delegate and/or Alternate (including the Chairman and Assistant Chairman) a “*Convention Pass*” that will authorize their admission and participation at the “*Convention*”.
8. Notify the State Legislature of the financial needs the State Delegation has at the “*Convention*”.
9. Administer the following oaths to the applicable candidate before issuing certifications:

DELEGATES

“I pledge to follow the instructions in this *Delegate Resolution* and any other directive given to me by the *Delegate Credential Committee* or the State of’s Legislature, whether such directive is given to me directly or indirectly through the Chairman, from the time I am certified by the “*Committee*” to be a Delegate and during the full term of the *Unborn Child Amendment Federal Convention*, to the best of my abilities so help me God.”

ALTERNATES

“I pledge to follow the instructions in this *Delegate Resolution* and any other directive given to me by the *Delegate Credential Committee* or the State of’s Legislature, whether given to me directly or indirectly through the Chairman, from the time I am certified by the “*Committee*” to be an Alternate and during the full term of the *Unborn Child Amendment Federal Convention* to the best of my abilities so help me God.”

CHAIRMAN OF’S STATE DELEGATION

“I pledge to follow the instructions in this *Delegate Resolution* and any other directive given to me by the *Delegate Credential Committee* or the State of’s Legislature, from the time I am certified by the “*Committee*” to be the Chairman of’s State Delegation and during the full term of the *Unborn Child Amendment Federal Convention*, to the best of my abilities so help me God.”

ASSISTANT CHAIRMAN OF’S STATE DELEGATION

“I pledge to follow the instructions in this *Delegate Resolution* and any other directive given to me by the *Delegate Credential Committee* or the State of’s Legislature, whether given to me directly or indirectly through the Chairman, from the time I am certified by the “*Committee*” to be the Assistant Chairman of’s State Delegation and during the full term of the *Unborn Child Amendment Federal Convention*, to the best of my abilities so help me God.”

- 10. Monitor the activities of’s State Delegation.
- 11. Keep close communications with the Chairman and Assistant Chairman and provide needed assistance when requested.
 - a. Inform to the Chairman and Assistant Chairman which States at the “*Convention*” have enacted a “*Resolution*” similar to this one for their “*Delegates*”.
 - b. Report to the State Legislature periodically which States at the “*Convention*” have enacted a “*Resolution*” similar to this one for their “*Delegates*”.
- 12. Monitor the activities, deliberations and all votes by the States at the “*Convention*”.
- 13. Make periodic reports and provide in depth analysis to the State Legislature regarding the events at the “*Convention*”.
 - a. Include reports and recommendations on upcoming votes at the “*Convention*”.
 - b. Include an analysis of the prospects for the pre-drafted *Unborn Child Amendment*, as herein written, being approved by the “*Convention*” and sent to the States for ratification.
 - c. Include problems and successes that have or are likely to occur before a vote by the “*Convention*” is taken to send the *Unborn Child Amendment* to the States for ratification.
 - d. Make appropriate recommendations to the State Legislature on what further action is needed by the Delegates and/or the State Legislature to assure a favorable vote by the “*Convention*” for the *Unborn Child Amendment*.
- 14. The “*Committee*” shall have the authority to determine if a Delegate or Alternate violated the provisions of this “*Resolution*” and to decide if the Delegate’s “*Credentials*” should be invalidated. The “*Committees*” decision will be final and there will be no appeal.
 - a. A Delegate who has had his “*Credentials*” invalidated shall immediately forfeit all right to represent the State of at the “*Convention*” and immediately be dismissed as a Delegate in’s State Delegation. His Certification as a Delegate and Convention Pass will be cancelled. He will have no further authorization to participate at any events at the “*Convention*”.

SECTION B. DUTIES OF THE CHAIRMAN OF’S STATE DELEGATION

The Chairman of’s State Delegation will be required to follow the directives in this “*Resolution*” and others that may be issued, from time to time, by the “*Committee*” or by the State Legislature.

DUTIES AND RESPONSIBILITIES OF THE CHAIRMAN

The Chairman is charged with completing the following directives, instructions and duties:

- 1. Join with other State Delegations to open the “*Convention*” for business.
- 2. Make certain that there is always at least one Delegate from’s State Delegation at every business meeting and roll call at the “*Convention*”.
 - a. If the Delegate is not the assigned Spokesman, then authorize the Delegate to cast ballots in the Spokesman’s absence according to the terms and provisions of this “*Resolution*”.
 - b. The’s State Delegation must always have at least one likeminded Delegate during all business meetings and roll calls at the “*Convention*”.
- 3. Distribute to all “*Delegates*” from a pocket size copy of the United States Constitution.

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4. Instruct “Delegates” of the mandate in the United States Constitution in Article IV, Section 4 that guarantees to each State a Republican form of government which gives each State equal standing when Calling for a Federal Convention and when voting for proposed Amendments at a Federal Convention, regardless of the State’s population.
5. Work closely with Chairman from other State Delegations to find mutual agreement on the objectives in this “Resolution.
6. Assign to Delegates in’s State Delegation the following duties:
 - a. Divide the Delegates in the 50 State Delegations at the “Convention” by the number of’s Delegates. Assign to each of’s Delegates a proportional number of Delegates from other State Delegations for the purpose of gaining consensus and agreement among the State Delegations that the *Unborn Child Amendment*, as herein written, should be sent to the States for ratification.
7. Build a consensus between at least 26 State Delegations at the “Convention” to nominate “Convention” Officials who agree with sending the *Unborn Child Amendment*, as herein written, to the States for ratification.
8. Build a consensus between at least 26 State Delegations at the “Convention” to vote for the installation of “Convention” Officials who agree with sending the *Unborn Child Amendment*, as herein written, to the States for ratification.
9. Build a consensus between at least 26 State Delegations at the “Convention” to require that each State shall have one vote when voting on any and all matters brought before the “Convention” regardless of the number of Delegates in a State’s Delegation (Article IV, 4 U.S. Constitution).
10. Build a consensus between at least 26 State Delegations at the “Convention” requiring a quorum of 26 State Delegations before business can be conducted and before a vote can be taken to decide any and all matters at the “Convention”.
11. Build a consensus between at least 26 State Delegations at the “Convention” to require a simple majority vote to decide all matters brought before the “Convention” at a roll call, including the question of whether the *Unborn Child Amendment*, as herein written, should be sent to the States for ratification.
12. Build a consensus between at least 26 State Delegations at the “Convention” to work together for the mutual goal of sending the *Unborn Child Amendment*, as herein written, back to the States for ratification.
13. Build a consensus between at least 26 State Delegations at the “Convention” that requires the “Convention” to be terminated by the end of the 180th day from the date it is convened, unless the “Convention” votes to extend the “Convention’s” term for another 180 day period. The “Convention” shall have no further extensions after 360 days.

CALLING FOR VOTES AT THE CONVENTION BY THE CHAIRMAN

14. Call for a vote (or coordinate with other likeminded Chairman from other State Delegations to have them call for a vote) *requiring* that each State Delegation is to have only one vote at roll calls on all matters to be decided on at the Convention, especially whether the *Unborn Child Amendment*, as written herein, should be sent to the State Legislatures for ratification. The United States Constitution in Article IV, Section 4 guarantees to each State a Republican form of government which gives each State equal standing when Calling for a Federal Convention and when voting for proposed Amendments at a Federal Convention, regardless of the State’s population.
 - i. Cast’s vote to require “One” vote per State Delegation.
 - a. Nominate a likeminded candidate to be President who comes from’s Delegation (if possible).
 - b. Call for a vote for a candidate to be President who is likeminded and comes from a State that has enacted this “Resolution”, whether or not you nominated the candidate to be President.
 - i. Cast’s vote to elect the President described in Item 14. a, or 14. b.
 - ii. The President shall be responsible for:
 1. Establishing this “Resolution” to be the Rules to follow at the “Convention” (Robert’s Rules of Order should also be followed when the President deems it necessary).
 2. Following the terms, directives and requirements of this “Resolution”.
 3. Staying focused on the *only* purpose the State Legislature had when authorizing a Call on Congress to convene the *Unborn Child Amendment Federal Convention*, which is to decide if the *Unborn Child Amendment*, as here in written in Section E, should be sent to the States for ratification.
 4. Security measures to be taken at the “Convention”.
 - a. Weapons or objects that can be construed as weapons will not be allowed at the “Convention”.
 5. Officiating the nomination and installation of Officers at the “Convention”.
 6. Determining the agenda at the “Convention” as defined in this “Resolution”.
 7. Establishing equal time lines for each State on all debates and for arguments by the States, for or against sending the *Unborn Child Amendment* to the States for ratification.
 8. Prohibiting the introduction at the “Convention” of any subject matter or issue other than matters relating to the *Unborn Child Amendment*, as herein written, and if it should be sent to the States for ratification.

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9. Expediting deliberations by the State Delegations and preventing unnecessary delays.
 10. As quickly as possible, allow a roll call for the State Delegations to decide if the Unborn Child Amendment, as herein written, should be sent to the States via Congress for ratification.
 11. Authorizing roll calls at the “*Convention*”.
 12. Invalidating all efforts to introduce other Amendments to the “*Convention*, including any modification(s) or alteration(s), of any kind, to the *Unborn Child Amendment*, as herein written.
 13. Settling disputes.
 14. Dismissal of Delegates, including “*Convention*” Officials, for violating this “*Resolution*” or for Security problems caused by the Delegate(s), by their State Delegation, “*Committees*” or State Legislatures.
 15. Procedures for installing and recognizing Alternates who are to become Delegates.
 16. Closing the “*Convention*” after the final votes are taken that will decide if the *Unborn Child Amendment* should be sent to the States for ratification and by which mode of ratification the “*Convention*” is proposing to Congress.
 17. Reporting to the United States Congress, the 50 State Legislatures and the media the decision of the “*Convention*” regarding sending the Unborn Child Amendment to the States for ratification and the “*Convention*’s” recommendation to Congress as to which mode of ratification should be followed.
 18. Making formal requests to the State Legislatures, through representatives in the 50 State Delegations, for monies that will be needed to carry on the business of the “*Convention*”.
 19. Requiring that the “*Convention*” be closed to all media and news groups. Only delegates appointed by their State Legislatures, security screened suppliers, security staff, custodial staff and personnel who are needed for carrying out the business of the “*Convention*” are to be given security passes and permitted into the “*Convention*”.
- iii. If a candidate for President wins the Presidency and he does not come from a State that has enacted this “*Resolution*”, then it is the Duty of the Chairman and the Delegates in the State Delegation to use every means at their disposal to influence a favorable vote by the “*Convention*” to send the *Unborn Child Amendment*, as herein written, to the States for ratification.
1. The Chairman and’s State Delegation, in such a case, is still required to follow the directives in this “*Resolution*” to the best of his/her abilities.
- c. Repeat items 14. a. and 14. b. above for the office of Vice President, Secretary, Treasurer and any other office the Delegates deem necessary to carry on the business of the “*Convention*”. The President will be responsible to define the duties for each office in accordance to the requirements of this “*Resolution*”.
- d. Call for a vote on the “*Convention*” floor that would require a quorum of 26 States in order to conduct business and to vote on any and all matters brought before the “*Convention*”.
- i. Cast’s vote to require a quorum of 26 States.
- e. Call for a vote to require a simple majority vote by the States when deciding any and all matters brought before the “*Convention*” for a vote.
- i. Cast’s vote to require a simple majority vote by the States.
- f. Call for a vote requiring each State Delegation to appoint one Delegate to be their Spokesman.
- i. Cast’s vote to require each State Delegation to appoint one Delegate to be their Spokesman.
- g. Call for a vote to decide if the *Unborn Child Amendment*, as herein written, should be sent to the States for ratification via Congress.
- i. Cast’s vote requiring that the *Unborn Child Amendment* be sent to the States for ratification.
- h. Assuming the “*Convention*” votes to send the *Unborn Child Amendment* to the States for ratification, call for another vote to decide which method of ratification the “*Convention*” will recommend to Congress, whether by State Legislatures or State Conventions.
- i. Cast’s vote to recommend to Congress that the *Unborn Child Amendment*, as herein written, be ratified by State Legislatures and not State Conventions.
- i. Oppose any efforts by State Delegations to modify, alter or change in any way the wording, punctuation, sections and spelling of the *Unborn Child Amendment*, as herein written.
- j. Oppose any efforts by State Delegations to offer any other Amendment to the Constitution at the “*Constitution*” other than the *Unborn Child Amendment*, as herein written.
- k. Organize’s Delegates at the “*Convention*” and assign to each specific duties with instructions for carrying out the objectives and purposes in this “*Resolution*” and directives that may, from time to time, come from the “*Committee*” or State Legislature:

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- l. Assign to Delegates from the following responsibilities:
 - i. Work with and gain consensus from other State Delegations for the purpose of securing their agreement that the *Unborn Child Amendment*, as herein written, should be sent to the States for ratification.
 - ii. Report to the Chairman the number of other States that plan to vote in favor of the *Unborn Child Amendment*.
 - iii. Report to the Chairman any problems or opportunities that may have or might develop relating to the directives in this “*Resolution*”.
- m. Develop and support other strategies that may help to join with at least 26 other States to vote for the *Unborn Child Amendment* at the “*Convention*”.
- 15. Be amenable to both the “*Committee*” and State Legislature.
- 16. The Chairman is bound by this “*Resolution*” to vote as directed in this Section B. which includes sending the *Unborn Child Amendment*, as herein written, to the States for ratification via Congress.
- 17. Conduct frequent meetings with’s State “*Delegates*” to review, analyze and report on the work being accomplished at the “*Convention*”. Establish plans to correct problems and to advance the objective which is to secure a favorable vote by the “*Convention*” to send the *Unborn Child Amendment* to the States for ratification.
- 18. Make regular reports to the “*Committee*” regarding all activities at the “*Convention*”.
- 19. Notify the “*Committee*” of financial needs the State Delegation has at the “*Convention*”.

SECTION C. DUTIES AND RESPONSIBILITIES OF “DELEGATES”

The Delegates of’s State Delegation will be required to follow the directives in this “*Resolution*” and others that may be issued, from time to time, by the “*Committee*” or by the State Legislature.

Each Delegate is charged with the following:

- 1. Be amenable to the Chairman and Assistant Chairman of’s State Delegation.
- 2. Work to advance all the requirements and directives in this “*Resolution*”.
- 3. Follow the instructions given to the Delegate by the Chairman or Assistant Chairman of’s State Delegation, the “*Committee*” or State Legislature.
- 4. Be subject to dismissal from the State Delegation for violation of this “*Resolution*”.
- 5. The Delegate is bound by this “*Resolution*” to vote at all State Delegation roll calls consistent with directives given to the Chairman in Section B., which includes sending the *Unborn Child Amendment*, as herein written, to the States for ratification via Congress.
- 6. Attend all assigned business sessions at the “*Convention*”.
- 7. Help the Chairman to successfully complete each of the objectives in Section B.
- 8. Attend all meetings scheduled by the Chairman:
 - a. Report results of your work among other State Delegates.
 - a. Assess and report to the Chairman the number of States that plan to vote in favor of the *Unborn Child Amendment*.
 - b. Assess and report to the Chairman any problems or opportunities that may have or might develop relating to the purposes of this “*Resolution*”.
 - c. Recommend to the Chairman other strategies that may help join with at least 26 other States to vote for the *Unborn Child Amendment* at the “*Convention*”.

SECTION D. DUTIES AND RESPONSIBILITIES OF “ALTERNATES”

The Alternates of’s State Delegation will be required to follow the directives in this “*Resolution*” and others that may be issued, from time to time, by the “*Committee*” or by the State Legislature.

Each Alternate is charged with:

- 1. Being ready to become a Delegate if directed to do so by the “*Committee*” or State Legislature.
- 2. Fulfill the duties in Section C. when appointed to be a Delegate.
- 3. When appointed to be a Delegate, work to advance all the requirements and directives in this “*Resolution*”.
- 4. Be subject to dismissal from the State Delegation for violation of this “*Resolution*”.
- 5. When appointed to be a Delegate, the Delegate is bound by this “*Resolution*” to vote at roll calls consistent with directives given to the Chairman in Section B., which includes sending the *Unborn Child Amendment*, as herein written, to the States for ratification via Congress.

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- 6. Follow the instructions given to you by the Chairman or Assistant Chairman of’s State Delegation, the “Committee” or the State Legislature.
- 7. When appointed to be a Delegate, attend all assigned business sessions at the “Convention”.
- 8. When appointed to be a Delegate, help the Chairman to successfully complete each of the objectives in Section B.
- 9. When appointed to be a Delegate, attend all meetings scheduled by the Chairman:
 - a. Report results of your work among other State Delegates.
 - d. Assess and report to the Chairman the number of States that plan to vote in favor of the *Unborn Child Amendment*.
 - e. Assess and report to the Chairman any problems or opportunities that may have or might develop relating to the purposes of this “Resolution”.
 - f. Recommend to the Chairman other strategies that may help join with at least 26 other States to vote for the *Unborn Child Amendment* at the “Convention”.

SECTION E. TEXT FOR THE UNBORN CHILD AMENDMENT

The exact text for the *Unborn Child Amendment* (including the wording, paragraphs, Section headings, spelling and punctuations) that is to be sent to the State Legislatures, via Congress, for ratification shall read as follows:

Text of Proposed
UNBORN CHILD AMENDMENT
 ARTICLE 28 (or alternate number to be assigned by Congress)

Section 1. The Unborn offspring of human beings are persons from the time of conception, which includes any form of fertilization, and continually thereafter throughout their subsequent development: No Unborn person shall be intentionally deprived of life or limb, or shall be subjected to intentionally inflicted harm.

Section 2. To secure the rights of Unborn persons, induced abortion is hereby prohibited within the United States which shall include the Several States, the District of Columbia, and the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands and the territories and possessions of the United States.

Section 3. Any elected or non-elected government official, or non-government individual or principal of any private entity, who intentionally obstructs and/or prevents the enforcement of the provisions of this Article will have committed a criminal offense and will be subject to impeachment, when appropriate, and criminal prosecution and upon conviction serve up to five years in prison. Individual States shall have authority to prosecute violators of this Article under State laws in the absence of Federal prosecution after 90 days from the date of the alleged violation. Multiple prosecutions, by multiple States, for the same alleged crime are prohibited.

Section 4. This Article shall be immediately part of the United States Constitution upon ratification by three quarters of the State Legislatures in the several States and shall supersede and take precedence over all prior regulations, statutory law and case law relating to the interests of unborn persons.

Resolved, That the Clerk forward a copy of this signed Agreement to the Leadership in the State Legislatures of every State that has likewise approved a similar “Resolution” for their “Delegates”. The Clerk is to forward a copy to Citizen Initiatives at P.O. Box 523 Spruce Pine, NC 28777-0523.

Citizen Initiatives is the facilitator on behalf of the State Legislatures regarding the number of Calls by the States for the Unborn Child Amendment Convention, the number of other State Legislatures that have passed the same Delegate Resolution for their Delegates and the progress achieved during the ratification process. Regularly scheduled reports of the progress achieved in the States will be sent to the leaders of the State Legislatures by Citizen Initiatives.

This “Resolution” is hereby entered into and approved by the Legislature of the State of on this date:

Joint Resolution by the Legislature of the State of

Month: _____ Day: _____, Year: _____ .

Authorized Signatures with Titles:

Seal of the State of

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____