

Adam S. Hofri-Winogradow

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SSRN page: http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=412104

EDUCATION

- 2010 *Society of Trusts and Estates Practitioners*, Diploma in International Trust Management, with Distinction (TEP)
- 2007 *University of Oxford, Faculty of Law*, D.Phil.
Dissertation topic: Family Property in Chancery: a Study of Late 18th Century Judicial Policy
Winter Williams Studentship, 2006-7
Somerville College Senior Scholarship, 2005-7
Humane Studies Fellowship, 2005-6
AVI Fellowship, 2005
NJL Foundation Scholarship, 2004
- 2004 *Tel Aviv University School of History, Cohn Institute for the History and Philosophy of the Sciences and Ideas*, M.A., Summa Cum Laude
Thesis topic: The Consensualist Philosophy of Adam Smith
Gottesman Scholarship, 2003
Aranne Scholarship, 2001
Antin Foundation Scholarship for High-Achieving M.A. Students, 2000
- 2002 *Tel Aviv University Faculty of Law*, LL.B., Cum Laude
Dean's List 1998-9, 2000-1
- 1998 *Berklee College of Music, Music Synthesis and Music Business and Management Departments*, B. Mus., Magna Cum Laude
Student Achievement Award, Music Business and Management, 1998
Merit-Based Scholarships for Music Composition, 1996-8
Dean's List, 1996-7
- 1997 *Harvard University (Summer School)*
Coursework in Medieval Culture and Literature
- 1996 *'Rimon' School for Contemporary Music*, Diploma in Musical Composition and Arrangement, Cum Laude

POSITION

- 2018- Montesquieu Chair in Comparative Law and Legal History, Faculty of Law, Hebrew University of Jerusalem (previously: Lecturer, 2007-2013; Senior Lecturer, 2013-2018)
Administrative and Committee Work:

2018-2021	<i>Member, University Senate</i>
2018-2019	<i>Plenary Member, Graduate Studies Authority</i>
2017	<i>Member, Prizes Committee</i>
2013-	<i>Superintendent of Student Discipline</i>
2015-16	<i>Member of University Committee for Tuition (Exemptions)</i>
2015-16	<i>Member, Sacher Institute for Legislative Research, Academic Committee</i>
2009-2014	<i>Member of Steering Committee, Institute for Hebrew Law.</i>
2013	<i>Responsible (with a colleague) for preparing the Faculty's self-evaluation report (c. 100 pp) for the Council of Higher Education</i>
2007-2013	<i>Member, Teaching Committee.</i>
2008-2013	<i>Responsible for Aid Program for Non-Native Hebrew Speaker Students.</i>
2009-2012	<i>Organizer, Faculty Colloquium</i>
2007-2009	<i>LL.B. Advisor; Member, Research Committee</i>

VISITING POSITIONS

2021	Visiting Professor, University of British Columbia, Peter A. Allard School of Law
2020	Visiting Professor, University of Virginia School of Law
2017-2018	Visiting Professor, Western Ontario University, Faculty of Law
2015-2018	Martin Flynn Global Law Professor, University of Connecticut School of Law
2013	Visiting Professor of Law, Georgetown Law Center
2013	Visiting Professor of Law, Center for Transnational Legal Studies, London

MEMBERSHIPS

2016-	Equity & Trusts Research Network, University of Kent
2016-2017	American Law & Economics Association
2014-2017	American Bar Association, Real Property, Trusts and Estates Section
2008-	Society of Trust and Estate Practitioners (STEP)
2003-	Israel Bar

PUBLICATIONS

Articles in Refereed Journals and Law Reviews

1. "The Use of Trusts to Subvert the Law: An Analysis and Critique" (with Mark Bennett), forthcoming in the *Oxford Journal of Legal Studies* (2020).

2. "The Statutory Liberalization of Trust Law across 152 Jurisdictions: Leaders, Laggards and the Market for Fiduciary Services", forthcoming in the *UC Davis Law Review* (2020).
3. "Trust Parties' Uniquely Easy Access to Rescission: Analysis, Critique and Reform" (with Gad Weiss), 82 *Modern Law Review* 777-799 (2019).
4. "Property Transfers to Caregivers: a Comparative Analysis" (with Richard Kaplan), 103 *Iowa Law Review* 1997-2025 (2018).
5. "Trust Jurisdiction Clauses: their Proper Ambit", 13 *Journal of Private International Law* 519-545 (2017).
6. "Trust Proliferation: a View from the Field", 31(3) *Trust Law International* 152-182 (2017).
7. "The Demand for Fiduciary Services: Evidence from the Market in Private Donative Trusts", 68 *Hastings Law Journal* 931-1006 (2017).
Reviews:
 - a. Yonatan Arbel, "In Trust we Trust", *New Private Law*, 20 September 2016, <https://blogs.harvard.edu/nplblog/2016/09/20/in-trust-we-trust-yonathan-arbel/>.
 - b. Andrew P. Morriss. Paul Jones, Jr. & Charlene Angelich Jones – Compass Bank Endowed Chair of Law at the University of Alabama School of Law: "A terrific piece of empirical work that replaces guessing with real knowledge". <http://www.caymanfinancialreview.com/2016/11/01/grey-matters-26/>.
8. "Contract, Trust and Corporation: from Contrast to Convergence", 102 *Iowa Law Review* 1691-1717 (2017).
9. "The Stripping of the Trust: A Study in Legal Evolution", 65 *University of Toronto Law Journal* 1-47 (2015).
Review: Cayman Financial Review, <http://www.caymanfinancialreview.com/2014/08/08/grey-matters-6>.
10. "The Stripping of the Trust: from Evolutionary Scripts to Distributive Results", 75 *Ohio State Law Journal* 529-570 (2014).
11. "Professionals' Contribution to the Legislative Process: Between Self, Client and the Public", 39(1) *Law and Social Inquiry* 96-126 (2014).
12. "Parents, Children and Property in the Late Eighteenth Century Chancery", 32(4) *Oxford Journal of Legal Studies* 741-769 (2012).
13. "Shapeless Trusts and Settlor Title Retention: an Asian Morality Play", 58(1) *Loyola Law Review* 135-177 (2012).
Republished in 1 *European Journal of Comparative Law and Governance* (2014).
A shorter version published in *Modern Studies in Property Law, Volume 7*, Nick Hopkins (ed), Hart Publishing, 85-106 (2013).
An even shorter version published, under the title "Substance without Form", in *Trust Quarterly Review* 20-26 (September 2013).

14. "Zionist Settlers and the English Private Trust in Mandate Palestine", 30(3) *Law and History Review* 813-864 (2012).

Republished in *The Worlds of the Trust*, Lionel Smith (ed.), Cambridge U.P., 2013, 203-256.

15. "Arab Israeli Women's Renunciation of their Inheritance Shares: a Challenge for Israel's Courts" (with Haim Sandberg), 8(2) *International Journal of Law in Context* 253–267 (2012).

16. "A Plurality of Discontent: Legal Pluralism, Religious Adjudication and the State", 26 *Journal of Law and Religion* 57-89(2010).

17. "The Muslim-Majority Character of Israeli Constitutional Law", 2 *Middle East Law and Governance* 43-80 (2010).

Articles in Hebrew-Language Refereed Journals

1. "Trust Law in Israel: from Obstacles to Gems?", 45 *Mishpatim* [Hebrew University Law Review] 439-514 (2015).

A part of this paper was also published as "The Law of Conflicting Interests in the Trusts Context: Beneficiaries, Purchasers and Creditors", 1(b) *Wealth Management Law Review* 61-77 (2014).

2. "The Further Rise of Legal Pluralism in Israel: the Rise of Halachic Courts for *Mamonot* among the Religious-Zionists", 34 *Iyunei Mishpat* [Tel Aviv University Law Review] 47-92 (2011).

3. "Daughters' Renunciation of Their Inheritance in the Palestinian-Arab Sector in Israel: the Role of the Civil Courts" (with Haim Sandberg), 33 *Iyunei Mishpat* [Tel Aviv University Law Review] 373-422 (2010).

Articles in edited collections (not including reprints, for which see above)

1. "Law of Trusts", in *The Israeli Legal System* (Christian Walter et al., eds, Hart Publishing, Oxford 2019) 125-135.

A German translation appeared in *Einführung in das israelische Recht* (Christian Walter et al., eds, C.H.Beck, München, 2019) 119-130.

2. "The Scottish Enlightenment", in *The History of Ideas: The Enlightenment* (G. Taub, ed., Mossad Bialik, Jerusalem, 2016) 155-179 [Hebrew].

3. "Trustees Mistakes: England and Elsewhere", in *Trusts in Prime Jurisdictions* (4th edition, Alon Kaplan, gen. ed., Globe Law and Business, 2016) (with Gad Weiss) 663-672.

4. "The Legal Structure of the Ha'avara (Transfer) Agreement: Design and Operation", in *National Economies (Volkswirtschaft): Racism and Economy in Europe Between the Wars (1918-1939)* (Christoph Kreutzmueller, ed., Cambridge Scholars Publishing, 2015) 97-107.

5. 'Express Trusts in Israel/Palestine: a Pluralist Trusts Regime and its History', in *Re-imagining the Trust: Trusts in Civil Law* (Lionel Smith, ed., Cambridge University Press, 2012) 83-118.
6. "Daughters' Renunciation of Their Inheritance in the Palestinian-Arab Sector in Israel: Tools for Legal Engagement" (with Haim Sandberg), in *Facing the Shari'a Court: Transformations in the Status of Muslim Women in Israel and the Middle East* (Liat Kozma, ed., Resling Publishing, 2011) 229-61 [Hebrew].
7. 'Law's Families: Conceptions of the Family in Late 18th Century English Law', in *Erinnern und Vergessen / Remembering and Forgetting* (Oliver Brupbacher et al (eds), Munich: Meidenbauer Verlag, 2007) 173-195.

Monographs

1. *Adam Smith: The Philosopher of Enlightenment* (Mapa Publishers, March 2005).

Book Reviews

1. Review of Menachem Mautner, *Law and the Culture of Israel*, 16 *Edinburgh Law Review* (January 2012) 125-26.
2. 'Comments on David Rabban's *Law's History*', *Jerusalem Review of Legal Studies*, vol. 1 (2010) 72-80.
3. "The Israeli Land Regime amid the Arab-Jewish Conflict", in 25 *Hamishpat* (May 2008) 83-91 [Hebrew].

GRANTS

2015-2018 Israel Science Foundation research grant no. 367/15, The Global Proliferation of Trust Law and Practice: An Historical and Empirical Account. Grant Amount: 480,000 NIS ~ \$127,321.

2010-2015 Israel Science Foundation research grant no. 333/10, Trusts and their Uses in building the Jewish National Home and in the State of Israel: a Socio-Legal History. Grant Amount: 404,000 NIS ~ \$115,400.

PRIZES

2017 Zeltner Prize for Young Researchers

2010 Cegla Prize for Young Faculty, awarded for "The Further Rise of Legal Pluralism in Israel: the Rise of Halachic Courts for *Mamonot* among the Religious-Zionists".

INVITED TALKS

1. "The Statutory Liberalization of Trust Law across 152 Jurisdictions: Leaders, Laggards and the Demand for Fiduciary Services", Trusts and Wealth Management Conference 2019 - Asian

Wealth and the Global Context, 1-2 August 2019, Singapore Management University, School of Law.

2. "Trust Proliferation: a View from the Field", The Use and Abuse of Trusts and Other Wealth Management Devices, 27-28 July 2017, Singapore Management University, School of Law.

3. "Trust Proliferation: a View from the Field", Power, Property and the Law of Trusts Revisited, Symposium, Equity and Trusts Research Network, University of Kent, 25-26 October 2017.

4. "The Israeli Solution to the Intermediaries' Problem", presentation to the International Tax Departments of the Tax Authorities of Denmark, Sweden, Finland and Norway, Copenhagen, Denmark, May 29, 2017.

5. "The Israeli Solution to the Intermediaries' Problem", Consultation on Tax Havens, Fiscal Affairs Committee, Danish Parliament, May 29, 2017.

6. "The Israeli Solution to the Intermediaries' Problem", PANAMA PAPERS: Role of the Middlemen - Should we better regulate intermediaries?, Seminar, EU Parliament, Brussels, March 2, 2017.

Video of Talk: <https://www.youtube.com/watch?v=2Tmm3YqDfX8> (talk starts at 01:05:00)

7. "Internationale Trustpraxis: Empirische Erkenntnisse", Liechtenstein Trust Conference, Universität Liechtenstein, April 2016.

8. "Trust Practice in its Cultural Contexts", The Sciences and the Arts: Different or Similar Tendencies of Evolution?, Research Workshop organized by the Thematic Network "Principles of Cultural Dynamics", July 21-22, 2015, Freie Universität Berlin.

Video of Talk: http://www.fu-berlin.de/en/sites/principles-cultural-dynamics/In-Retrospect/Workshop_2015_Sciences_Arts/Video_Archiv/Hofri_Trust/index.html

9. "The Stripping of the Trust", Interdisciplinary Centre, Herzliya, Faculty Colloquium, April 2013; Tel-Aviv University, Private Law Workshop, April 2013; Cornell Law School, Faculty Workshop, September 12, 2013; New York Law School, Starr Lecture, September 26, 2013; Wisconsin Law School, Faculty Workshop, October 3, 2013.

10. "Israeli Elite Practitioners' Private Trust Practice: Choosing Legal Pluralism", Critical Reflections on Legal Pluralism in the State and Beyond: Joint Symposium of Osgoode Hall Law School, York University & The Faculty of Law, Bar Ilan University, July 1, 2012.

11. "Reception and Rejection of the Common Law Trust in Mandate Palestine", "The Worlds of the Trust", an international conference organized by McGill University Faculty Of Law, Montreal, September 2010.

12. "Trusts in Israel/Palestine: A Chequered History", workshop series "La fiducie en droit civil", Centre de recherche en droit privé et comparé du Québec, McGill University, 13 February 2009.

SELECTED PUBLIC LECTURES AND PRESENTATIONS

Academic [excluding comments]

1. "The Statutory Liberalization of Trust Law across 152 Jurisdictions: Leaders, Laggards and the Demand for Fiduciary Services", Law and Society Association Annual Meeting, Washington, D.C., May 2019; Annual Meeting of the Canadian Law and Economics Association, September 2019; Empirical Analysis of Wealth Transfer Law, an ACTEC (American College of Trust and Estate Counsel) Symposium, held October 11, 2019 at UC-Davis Law School; Faculty Colloquium, Hebrew University of Jerusalem, Faculty of Law, December 2019; Annual Meeting of the Society for Institutional & Organizational Economics (SIOE), 2020 (paper accepted; conference not held due to Coronavirus pandemic).
2. "What are the Normative Foundations of Trust Law?" (co-authored with Mark Bennett), Association of Law, Property, and Society 9th Annual Meeting, University of Maastricht, Netherlands, June 1-2, 2018.
3. "Property Transfers to Caregivers: a Comparative Analysis" (co-authored with Richard Kaplan), Wealth Transfer Law in Comparative and International Perspective, an ACTEC (American College of Trust and Estate Counsel) Symposium, held on September 8, 2017, at the University of Iowa, College of Law.
4. "Trust Proliferation: a View from the Field", University College London, Faculty of Law, January 14, 2016; 10th Modern Studies in Property Law conference, held on 10-12 April, 2018 at University College, London.
5. "Trust Proliferation: an Empirical Analysis", Law and Society Association Annual Meeting, Seattle, May 2015; Hebrew University Faculty of Law, Faculty Colloquium, May 2015; University of Connecticut Law School, Faculty Colloquium, September 2015; Annual Comparative Law Work-in-Progress Workshop, co-sponsored by the University of California at Los Angeles, the University of Illinois College of Law, Princeton University, and the American Society of Comparative Law, April 2016; Private and Commercial Law Workshop, Hebrew University, Faculty of Law, May 2016; Annual Meeting of the American Law and Economics Association (ALEA), Harvard Law School, May 2016; 7th Annual Conference of the Israeli Private Law Association, May 2016; Conference of Empirical Legal Studies in Europe (CELSE), Amsterdam, June 2016.
6. "Contract, Trust and Corporation: from Contrast to Convergence", Modern Studies in the Law of Trusts and Wealth Management: Theory and Practice, 30-31 July 2015, Singapore Management University, School of Law.
7. "The Trust Act, 5739-1979: from Obstacles to Gems?", Hebrew University Private Law Workshop, March 12, 2014; 5th Annual Conference of the Israeli Private Law Association, Haifa, May 15, 2014.
8. "The Legal Structure of the Haavara Transfer Agreement: Design and Operation", National Economies (Volks-wirtschaft), Racism and Economy in Europe Between the Wars (1918-1939), International Conference at Hebrew University in Jerusalem, October 2012.

9. "Colonial Subversion: the Subversive Uses of Trust-forms in the Late British Empire", Legal Histories of the British Empire conference, National University of Singapore, July 5-7, 2012; 21st British Legal History Conference, University of Glasgow, July 2013.
10. "The Stripping of the Trust", Modern Studies in Property Law, Southampton, U.K., March 2012; Hebrew University Faculty Colloquium, October 2012; Georgetown Law Center, Faculty Workshop, September 17, 2013; Oxford University Property Law Discussion Group, November 21, 2013.
11. "Israeli Currency Regulation, 1948-1998 and Practitioner Use of Private Trusts", Annual Conference of the American Society for Legal History, Atlanta, November 2011; co-organizer of panel, "Currency and Exchange Regulation: Causes and Consequences in the Colonial and Post-Colonial Eras", at same event.
12. "Slow Rise: The Gradual Incorporation of the Express Private Trust in Israeli Law", 3rd International Congress of the World Society of Mixed Jurisdiction Jurists, Jerusalem, June 2011.
13. "A Fraught Inheritance: Private Trusts and Israeli Financial Regulation, 1948-1998", Law and Society Association Annual Meeting, San Francisco, June 2011.
14. "Reception and Rejection of the Common Law Trust in Mandate Palestine", Annual Conference of the American Society for Legal History, Philadelphia, November 2010; organization of panel, "Colonial Encounter: English, Islamic and Zoroastrian Law in the Late British Empire", at same event; 6th Annual Conference of the Israeli Law and History Association, Jerusalem, October 2010; Hebrew University Private Law Workshop, March 2011; 2nd Annual Conference of the Israeli Private Law Association, Jerusalem, April 2011.
15. "The Rise of *Halachic* Adjudication in *Mamonot* among the Religious Zionists: Further Pluralization of Israeli Law" 15th Congress of the World Union of Jewish Studies, August 2009, Jerusalem; same paper delivered at 1st Annual Conference of the Israeli Private Law Association, Jerusalem, March 2010.
16. 'Girls Giving Up their Inheritance – Consent or Duress?' [with Prof. Haim Sandberg], Muslim Law Workshop, Van Leer Institute, Jerusalem, April 21, 2009; same paper given at several conferences, including 'Islamic Law facing the Challenges of the 21st Century', a conference held 19-21 October, 2009, at the Van-Leer Institute.
17. "The Rise of the Private Religious Courts: Causes and Contexts", Israeli Law and Society Association Conference, Jerusalem, December 2008; *Panel Organizer*, 'New Developments at the Halachic Courts', at the same event.
18. "Religious Courts in Palestine/Israel: between (Westernized) Decay and (Middle-Eastern) Renaissance", Society of Legal Scholars Annual Conference, LSE, London, September 2008.
19. "The Decay of Religious Court Systems: a legal Transplant and its Future", Seminar of the Research Group on Common Law Legal Transplants, Institute for Advanced Studies, Jerusalem, July 2008.

20. "The Secularization and Sanctification of Law: Two Global Narratives and their Influence over the Development of Jurisdiction in Matters of Personal Status in Israel", Israelization: Society and Culture under Prolonged Generation, the 32nd Annual Conference of the Israeli Historical Society, Shazar Institute, Jerusalem, July 2008.
21. "The Law of Marriage in a Constitutional Void", Marriage and the Constitution Conference, Bar-Ilan University, Israel, June 2008.
22. "The Moloch and Belial of the Bar': Chancellors Thurlow and Loughborough and the late eighteenth century Chancery judiciary', 18th British Legal History Conference, St. Catherine's College, Oxford, July 2007.
23. 'Estate Preservation and Preserving Estates: Protection of Family Property against Debtors in the Late Eighteenth Century Chancery', Annual Conference of the American Society for Legal History, Baltimore, DL, November 2006; Oxford University Legal History Forum, Faculty of Law, Oxford University, November 2006.
24. 'Law's Families: Conceptions of the Family in Late 18th Century English Law', Europäisches Forum junger Rechtshistoriker, Frankfurt am Main, May 2006.
25. 'The Family Property Policy of the Late 18th Century Chancery: an Outline', 1st Cambridge Legal History Colloquium, King's College, Cambridge, December 2005.
26. "Families and their Property in the late Eighteenth Century Chancery: Introductory Comments", 17th British Legal History Conference, University College London, July 2005.
27. "Smith and Semiotics: or, can Adam Smith's Writings be Cross-read?", 34th Annual Conference of the British Society for Eighteenth-Century Studies (BSECS), St. Hugh's College, Oxford, January 2005.
28. "Rhetorical Strategies in Adam Smith's Moral Theory", 33rd Annual Conference of the British Society for Eighteenth-Century Studies (BSECS), St. Hugh's College, Oxford, January 2004.

Non-Academic [excluding Bar CLE courses] [selected]

1. "Trust Jurisdiction Clauses: Their Proper Ambit", STEP Israel 2016 Annual Conference, Tel-Aviv, June 2016.
2. "The Trust Practice Survey: Some Results", STEP Israel 2015 Annual Conference, Tel-Aviv, June 2015.
3. "The Israeli Trust Act, 1979: Innovations, Mistakes and Confusions", STEP Israel 2014 Annual Conference, Tel-Aviv, June 2014.
4. 'The Israeli Trust Act of 1979 vs. the Trusts Chapter of the New Draft Civil Code of Israel: Progress or Regression', STEP Israel 2012 Annual Conference, Tel-Aviv, May 2012.
5. 'Comparison of the Waqf and the Western Trust', talk delivered to STEP Jerusalem, February

26, 2009; same talk delivered as part of a STEP Diploma Continuing Education Course in International Trusts organized by Tel-Aviv University and STEP, January 27, 2009.

6. ‘Recent Changes in United Kingdom Government and Law’, talk given as part of a course entitled ‘Introduction to the Government and Legal Systems of Different Countries’, before the legal staff of the Knesset (Israeli Parliament), June 2008.

7. “The Common Law Origins of Israeli Trust Law”, STEP Israel 10th Anniversary Conference, Jerusalem, June 2008.

TEACHING EXPERIENCE

Georgetown Law Center

Trusts: Law and Practice (advanced course in multinational trust law and US trust taxation, including trust deed analysis)

Western Law, Western Ontario University

Trusts (Ontario law)
Comparative and Offshore Trust Law and Practice

Center for Transnational Legal Studies, London, UK

Trusts: Law and Practice (advanced course, as above)

Hebrew University of Jerusalem

Corporate Law (including M&A)
Trusts: Law and Practice (advanced course, as above)
Israeli Trust Law
Offshore Jurisdictions: Law as Product (seminar)
Introduction to Comparative Law
Introduction to Middle Eastern Law
Legal History Workshop
Introduction to the Common Law Tradition

Oxford University, Faculty of Law

Trusts (English law)

REFEREE FOR JOURNALS

American Journal of Comparative Law
McGill Law Journal
Stanford Law Review
Law & History Review
Journal of Professions and Organization
Journal of Legal History [U.K.]

Journal of Law and Religion
 Law and Ethics of Human Rights
 Oxford University Commonwealth Law Journal
 "Iyyunei Mishpat" [Hebrew]
 "Mekhkerei Mishpat" [Hebrew]
 "Mishpat U'Mimshal" [Hebrew]
 "Hukim" [Hebrew]
 "Dine Yisrael" [Hebrew]

REFeree FOR FUNDERS

Israel Science Foundation
 German-Israeli Foundation for Scientific Research and Development

SERVICE ON PRIZE COMMITTEES

2013 Member, prize committee, Cegla Prize for Young Faculty

STUDENTS SUPERVISED

LLD

1. Yehudit Dori-Daston (history of Ivan Demjanjuk's Israeli trial) [graduated 2018]
2. Yael Waksman (normative analysis of perpetual trusts) [graduated 2019]

MA

1. Shlomi Balaban (unofficial court system in the Cyprus internment camps, 1947-49) [graduated]

MEDIA APPEARANCES

- 12.25.2009 Interview, entitled "The Pluralist", *Jerusalem Post*.
- 12.2.2008 Interview, OTV, Egyptian Satellite TV channel.
- 2005 Interview, economic affairs magazine, Channel 1 of Israeli TV.