Vertical Integration PDP Working Group
TRANSCRIPTION
Thursday 27 May 2010 at 19:00 UTC

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 http://audio.icann.org/gnso/gnso-vi-pdp-20100527.mp3

On page:
http://gnso.icann.org/calendar/#may <http://gnso.icann.org/calendar/#may>
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Berry Cob -CBUC
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Operator: Thank you everyone for standing by. Today's conference call is being

                   recorded. If you have any objections you may disconnect at this time. I would

                   like to introduce your host. We have Ms. Glen de Saint Géry. Ma'am, you

                   may begin.

Glen de Saint Géry: Thank you. Over to you, Mikey.

Mike O'Connor: Thanks Glen. We'll do our tradition of spending a few minutes on the agenda

                   just to let late arrivals trickle in and then we'll do the role. I put out a tentative

                   scheme yesterday and didn't get any changes to it.

                   And I haven't pegged it in - dang. My apologies for that. I'm a little off kilter

                   with this new meeting so I haven't gotten my chops down. But about a third of

                   the meeting we'll devote to just updates on proposals if there are any. Let's

                   see if we've got any movement towards shared point.

                   And then the way I divided the last two thirds was candidates or possible

                   topics that we think we might arrive at consensus on and things that we feel

                   that we're so far apart on that should really just defer them for the longer term

                   discussion. That's a pretty artificial split. It may turn out to be easier just to

spend the last hour doing both of those together. We'll sort of see how that goes.

Anybody want to tweak that at all? Any changes? We won't do the any other business part this time around just because this is a special call and we can always do that on Monday. Not hearing anything and I'm not seeing anything in the chat so I think we'll go.

It looks like we have a pretty good group on the line. Glen, why don't you go ahead and call the roll and then we'll get started?

Glen de Saint Géry: I'll do that for you Mikey. On the call we have Baudouin Schombé, Vika Mpisane, Mike O'Connor, Mike Zupke, Faisal Shah, Roberto Gaetano, Ron Andruff, Steve Pinkos, Jeff Eckhaus, Ken Stubbs, Warren Alderman, Alan Greenberg, Avri Doria, Scott Austin, Paul Diaz, John Nevett, (Hernan Neverti), George Sadowsky, Sébastien Bachollet, Eric Stubbs, Jothan Frakes, Richard Tindal, Jeff Neuman, Mike Palage and for staff we have Liz Gasster, Marika Konings, Margie Milam and Glen de Saint Géry, myself. Have I left off anyone? Thank you Mikey. Over to you.

Mike O'Connor: Thanks Glen and welcome everyone to this the first of probably several Thursday special calls. Roberto is enjoying an aperitif before dinner and I appreciate everybody in Europe who is joining so late in the day.

Let's just in a fairly unstructured way I think go around the proposal advocates and just get an update if there are any updates on changes that have happened to proposals, conversations that have taken place, etcetera. I don't have anybody to call on because I don't know if anybody has any changes. But this would be the time to share them with us if anybody has any.

If there aren't any this will be a really short agenda item. But my hope is that some of the proposals may be moving together, that maybe there are some

groups that are consolidating their positions. If there are not we will move on to the other two topics. Anything people want to share with us? I'm doing my best radio announcer guy invitation, filling, hoping that a hand will go up but if there aren't any I'll leave off this in a minute.

While people are thinking about putting their hand up, just to kind of familiarize yourself with the Adobe room. Yeah. We have got our two polls going. They are both closed at the moment and I have gotten rid of my little count down timer so hopefully the response on the chat will be faster.

If people notice that sluggishness that we had on the call last Monday please just chime in and let me know on the call. We have done a couple of things to the Adobe room and I wanted to thank Mike Zupke for taking the lead on that and getting us squared away. So we're hoping that that is all fixed.

But if it starts to bog down let me know. Okay. I have given enough time for folks to raise their hands so we'll move on the next chunk, which is really the topics that can either we can see the possibility of arriving at consensus before Brussels and/or a topic that we just think is too far away.

And so on the screen now we have got a note area in the middle that I will type in, which I hope you will be able to scroll if I get down to the bottom and you can't scroll it let me know. And we'll have two sets of polls going on when they seem useful.

The one right is the one where you would get whether you think a given topic is something that we could arrive at consensus on before Brussels or it's just so far out of reach that we should wait. And I'll probably sort of leave that one open and keep clearing it as we talk about topics. And then the other one is just a standard yes or no and I'll turn that one on if (it's an agreement thing).

So anybody got a topic that they want to throw out that we can discuss about whether or not we can get to consensus on it? I haven't got a list. I just went

into this completely unstructured. So fire away with things that you think we're either pretty close on or so far away that we should just wait until the longer discussion. Alan, go ahead. You may be muted. I'm not hearing.

Alan Greenberg: For Brussels not necessarily our long term solution but for this round of GTLDs. Correct?

Mike O'Connor: Alan, you got half way through your sentence so could you just repeat your question because I think I know what you're asking but only the last few words came.

Alan Greenberg: Yeah. Last time you used the expression I think that things we can live with for the first round not necessarily our long-term recommendations for ICANN regarding vertical integration.

Mike O'Connor: Yes I did.

Alan Greenberg: Okay.

Mike O'Connor: Yeah. This is the cusp that we're on now is which things can we live with in the first round. Exactly right. Don't all speak at once. Jeff, go ahead. Jeff just wants to get in the room. Sorry. Anything that is really far apart, that's way too hard? Let's see. I could propose some and let people react. Alan, go ahead.

Alan Greenberg: Okay. I'll start it off by saying the issue of single registrant TLDs. Can we come to closure on a definition of them and therefore potentially how we treat them?

Man: (Unintelligible)

Mike O'Connor: Somebody is off mute and talking about something that somebody wrote up yesterday. So you might want to mute yourself. Okay. Single registrant TLDs,

a definition and a possible - what was the last half of your idea, Alan? I got distracted by the person who was talking.

Alan Greenberg: How we treat them if we treat them differently. But I think the definition is the first thing we have to settle on before we decide on exactly what we do with them or ignore them.

Mike O'Connor: Okay. Let me open up the poll. Why don't we just get a sense from you all as to whether you feel like this is something we could get to closure on effectively in about a week or should we wait? We've got a vote.

I've got to get some of this moved around on my screen. Jeffrey. Go ahead. Are you talking about this same topic?

Jeff Eckhaus: Yeah. I just had a question. I guess I'm kind of confused by the question thing. Do I think we can get to one or is somebody going to be tasked? I'm just confused on what - I don't think that the issue of what is a single registrant is - to me I don't think it's the - while it's an important piece here.

But I don't think that's been like the big hurdle on what's going on here. And I sort of have been thinking about this about let's - does that have - I think that has an effect out of co-ownership but I don't think that's the big argument discussion.

I mean if we want to - I don't think people in the group might want to vote on it or think about it until the other parts of the co-ownership come into effect because that is sort of the chicken or the egg. It could have some repercussions on what a single registrant is based upon some of the ownership issues.

So I don't know. I don't think it's that hard personally to do. I just don't know do we want to do that in the next week is sort of my question on that.

Alan Greenberg: Since I proposed the question I'll say I don't see much difference of do we want to do it or can we do it. Is consensus possible, which the answer could be no for a variety of reasons. Want or could, cannot are two of them.

Mike O'Connor: Yeah. I think that basically where we're at folks is that big huge difficult, complicated issues are probably going to be difficult to resolve between now and Brussels. Now I could be wrong but that could be my guess.

And what this part of the process is all about is trying to put the things in piles. So is this one that could go into a pile? And Jeff, I think to respond to your thought, the fact that it's relatively easy to resolve makes it a candidate for maybe going into the before Brussels pile.

The interlinkedness chicken and egg problem I'd like to defer until we see what the near-term pile looks like. It could be that the whole near-term pile gets wiped out because they are too interconnected with the long-term pile. But I'd like to save that question for a little while on the call until we see what the near-term pile looks like. Is that okay with you, Jeff?

Jeff Eckhaus: Yeah. I mean I'm fine. I mean I understand that there is sort of a desire to knock out some of the low hanging fruit. But I don't know. I still think I know we'd like to get some information together but I still think that there are some - I don't know.

I know that we didn't want to do any other business but I know that there were some issues that were going on in the list that I'd like to discuss. That could help. But if you want we can go through some of the poll questions. I'm not against it. That's fine if we want to go through this.

Mike O'Connor: Well, let's do that for a while and see how we do. And if we're making good progress, great. And if we're not, we'll change course. As you can see I'm pretty comfortable with changing courses if (something's not working).

Jeff Eckhaus: Mikey, I defer to you on whichever direction you want to go in today. I'm making suggestions, that's it.

Mike O'Connor: No worries.

Man: Hey Mike, don't (change) course until I get a chance to respond. I know Scott is ahead of me. But if we're going to (stay on)...

Mike O'Connor: No. I'm not going to change course that quick. Scott, go ahead.

Scott Austin: Thanks Mikey. I don't want you to change course. I think this is exactly what we should be doing. And considering that our summary matrix has as one of its headings a single registrant exception, I mean I think that was what I was hoping we were going to vote on because a number of our proposers had said yes and I thought there would be enough that maybe there could be consensus on it being considered for exception status and that's where I thought we were headed. And that's what I wanted to add.

Mike O'Connor: All right. Thanks Scott. Ken, go ahead.

Ken Stubbs: Yeah. A couple of things. First of all, I thought I knew what you were talking about and then you got me all confused about it. I think it's possible to arrive at definitions.

                 I don't necessarily think at this point in time it's possible to arrive at a way of treating them. And I do have to say one thing and this is only because Tim Ruiz is a good friend. For about anything else I'm sorry he's not here today. I know he's not able to make the call.

                 But I know that Tim has had some pretty eloquent arguments in this area. And I think I don't know where we're going with this at this point in time. But I think we owe it to ourselves to make sure that we don't make any permanency out of this thing.

Mike O'Connor: Let me clarify that. The point of this exercise at least in my feeble mind is not to arrive at necessarily a decision but to decide whether to try and reach a decision on this topic before Brussels but not to arrive at a decision today on the call.

I'm really just trying to split the work into two piles, a pile that is just too hard to get done between now and Brussels and a pile that we think might be possible to agree to. But I'm not intending on this call necessarily to try to arrive at any decisions. And any decision that we would arrive at on the call would have to go out to the list and get vetted by the folks who weren't on the call for sure if that clears things up a bit. Jeff. Thank you.

Jeff Eckhaus: I'm actually going to lower my hand. I was going to say I think just quickly that I agree with Ken on that in that defining a single registrant, that hasn't been the tough part.

It's saying what are the actions that what that single registrant can do and what we can limit them and what Tim's argument has been and I understand it completely is to say okay, if I'm the single registrant that's fine as the registered game holder, whatever it is.

That's the only person but can I sublicense it out in other methods and still be the single registrant? So there are all kinds of restrictions and things around that. So I don't think it's as clear cut as single registrant by itself is a simple definition. What can be done as a single registrant is the whole piece.

And then what I said in the chat, which John Nevett so nicely mimicked me was saying a single registrant is an exception but we don't know what the standard is to say what the exceptions are yet.

Mike O'Connor: So what I have done on the screen is I have split Alan's question or topic into two, the first topic being the definition whether we can arrive at a pretty good definition. And the second being whether we can arrive at a treatment.

So for the polling let's poll first on the definition question, whether we think we could come to a definition before Brussels. And then after we have sort of taken that snapshot we'll take a sense of the group as to how we feel about whether we could arrive at a treatment for them.

So right now you are voting on the first line. I'm going to clear the poll - hang on a minute - and I'm going to let you all do it again. And I'm happy to report that at least for me the Adobe Connect stuff is working great. So a tip of the hat to Mike while we're voting.

So again, we're just voting right now as to whether we think we can define single registrant before Brussels. It's looking pretty good at the moment. Not quite so many people voting. So if you voted before please vote again because I have wiped out your vote.

A slight skepticism. Avri got knocked out of the room. Okay. Well, we're sort of getting back up into the range that we were before. There are a bunch of you that aren't voting. While the voting is unwinding if somebody could throw up their hand and let me know why not, that would be good.

If I haven't put enough choices up there I'm happy to stick another button on the poll. Okay. I think we're going to call this one done. And we're going to say that this is a Brussels for things that we think we can get done by then. All right.

So now I'm going to redo this poll and let you vote on the second line, which is do we think we can arrive at how we treat single registrants before Brussels? Off you go. I feel this overwhelming temptation to call it like a

horserace but I'm not going to do it. Is there anybody that is not on Adobe Chat that would appreciate hearing these results?

Or most people who are on the call are also on Adobe. If you're not on Adobe let me know and I'll clue you in. And also if you're not on Adobe and you want to indicate which way you feel, feel free to chime in on that too. We're sort of up to about the same number, getting up towards - we're getting a few more folks chiming in.

Mikey the eternal optimist is going to interpret the way it's splitting right now as it's possible. We're split about two-thirds/one-third, two-thirds of us think maybe we could arrive at some sort of agreement before Brussels. And the other third don't note my optimism is feeling like this might be too hard.

So I'm going to put this one as a maybe Brussels for now. This is all subject to review later. Maybe Brussels. Okay. That's it for that poll. I'll close it. That was great Alan. Thanks for that kick off topic. How about another topic? Let's just keep chugging away on this for a while.

And Scott, I think that your point is right that possible topics are the headings across the top of the matrix, perhaps defined more narrowly, perhaps not. But do people see another one where we have the possibility of getting something pre-Brussels? Avri. Go ahead.

Avri Doria: Yeah. Being incredibly idiotic I'm wondering whether we have a lot of discussion about what happens after a threshold and I'm not sure that we can necessarily (close) on that.

But I'm wondering if there have been very strong discussions about keeping the threshold where it mostly had been kind of sort of in the past might be a good idea. So I'm wondering if we could reach a consensus on a threshold by Brussels and that one of course being an important one because we have been reset to zero.

So I don't know what the people think. Even though we can't necessarily figure out what happens post-threshold, we know something happens. But that's more complicated.

Mike O'Connor: So aside from my spelling error on thresholds, have I got it captured there, keeping thresholds more or less the same as they are now?

Avri Doria: This is me again. This is Avri again.

Mike O'Connor: Yeah.

Avri Doria: Being picky about what they are now, what they are now is zero.

Mike O'Connor: Yes.

Avri Doria: So what they were before the forward motion.

Mike O'Connor: As.

Avri Doria: And I don't want to call that status quo because we can't agree that was status quo because some were this and some were that. But basically can we agree on what the thresholds are?

Mike O'Connor: That's a great question and could somebody type the word thresholds correctly spelled into the chat because I know that's not right. It doesn't look right.

Woman: Yeah, that's right.

Mike O'Connor: It is right? Cool. I'm such a bad speller that I can't even tell when I'm spelling things right. Okay. Again, this is one of those ones where we're not deciding

this today people. We are deciding whether we think we can make it to agreement pre-Brussels.

Man: A vote for consensus may mean you think the answer is we should keep it the same or we should stick with zero. It's just we believe the group can reach a consensus.

Mike O'Connor: Yeah. That's all I'm saying. I'm not saying that we - again, it gets incredibly subtle. So we probably need to be absolutely clear on that. Avri, are you proposing it that maybe we could arrive at consensus today on this or just - yeah.

Avri Doria: No, of course Brussels isn't that far away. Pardon me for (confusion). Yes, what I was saying is that we can decide on thresholds but not necessarily what happens beyond a threshold because I think that's complicated.

Mike O'Connor: Yeah.

Avri Doria: But I think that we might be able to reach consensus - tentative consensus obviously. The whole package set forth on what the thresholds could be and what we want to do with them.

Mike O'Connor: Yeah. Okay. Jeffrey, go.

Jeff Eckhaus: Yeah. I would - my recommendation is to not touch that topic. And I'll just give a specific reason why is I think the board intention at putting it at zero was to keep all the players engaged.

And because it's such an uncomfortable position and it rules out almost all the existing people and all the people who are on both sides of the coin. And I think any sort of movement in advancing you know what, let's go to 15 or let's go to five or whatever could cause certain parties to not want to negotiate any further.

And I just think that saying can we come to a closure on percentages is sort of can we come to a closure on co-ownership really before Brussels? So any sort even intimation on what a status quo or what people would agree to in advance is really something I would stay away from because it would keep certain parties from wanting to negotiate.

And I think it goes sort of against what my interpretation of the board resolution is, to make everyone in such a bad situation that they need to come to the table. So that's my two cents on that.

Mike O'Connor: That's a good two cents. Anybody else? I think I'll open the poll on this. Again, the question is not whether - not to arrive at consensus today for sure but whether to put this in the pile of things that we work on pre-Brussels.

I think Jeffrey's comments are spot on to the discussion that is appropriate right now. He gave a good reason as to why not to include them in the pre-Brussels or at least not early in the discussions. Anybody want to comment on the other side and we'll go ahead and vote and see whether we have got a sense there?

Okay. The poll is open. Also a pretty lively chat going on. So if people want to take the chat up into the call, that's fine. So Ron, what we're voting on specifically is a choice between topics that we think we can arrive at pre-Brussels or whether a topic is so difficult that we can't. It's not voting on a recommendation on that topic. It's just voting on topics that we think we're close enough to get consensus on.

Ron Andruff: Sorry Mikey. It's Ron. I was asking specifically this keeping threshold, I don't understand the statement. I'm not sure what we're voting on on this particular statement. That was (what I meant).

Mike O'Connor: So Avri - so let's make sure we get this statement refined. What I was trying to capture and Avri helped me a lot here is the notion that perhaps we could arrive at consensus that the threshold of zero is too difficult and that moving the thresholds back to the way they were before the board resolution would be acceptable to everybody in the group.

Avri Doria: Hand up.

Mike O'Connor: Sorry. Go ahead Avri.

Avri Doria: No, that actually wasn't what I was saying. What I was actually saying and I'm sorry Ron, but we can vote (on that). What I was actually saying is can we make a decision and I probably said it wrong?

                  Can we make a decision or come to consensus on what the thresholds are? And Alan had put it well. Without predetermining what consensus is, can we derive what the thresholds are?

Mike O'Connor: Avri, you're very faint.

Avri Doria: Can we arrive at what the thresholds are, a consensus on that without predetermining that today and without predetermining what necessarily happens beyond a threshold?

                  So in other words we have had lots of discussions about is a percentage significant? And so on and so forth and incumbent need and this makes sense and that makes sense. So was it possible for us to come to consensus on some number, be it 0, 5, 10, 15, etcetera? Can we come to a consensus on that while we were still discussing how and what mechanisms there may or may not be for going beyond that threshold?

Mike O'Connor: How did I do in my second try, Avri? Can we arrive at a consensus on what the thresholds are parens, without the - is that it?

Avri Doria: Yeah.

Mike O'Connor: Okay. I'm going to wipe out my first try. Sorry about that folks.

Avri Doria: That would be quite seriously what Jeff said about maybe we shouldn't do
                     that even if we could.

Mike O'Connor: Yeah. I think - right. Okay. So folks, can you all go in and those of you who
                     have already participated in the poll, do you want me to wipe out the poll? I'm
                     going to do that. It's just easier. I'm going to force you to vote again.

                     Now the question is the last one on the list. Just go ahead and click your
                     button.

Man: Your definition of consensus in this case is not unanimity but consensus?

Mike O'Connor: Well, this one at this point I'm going to the - as it gets down towards three-
                     quarters it gets towards the maybe Brussels column. But it's not in the no way
                     Jose column. I'm not even treating this as a consensus thing. I'm just treating
                     it as a sense of the group.

                     And the sense of the group that I see right now is eight to two, which says to
                     me maybe possibly could. I mean what I'm really trying to do is thin the work
                     out and get us to the point where we're working on things that we can actually
                     accomplish. And I'm okay with us stretching a little bit.

Man: I would say 10 or 12 is consensus, not unanimity but consensus.

Mike O'Connor: Yeah. That's a two-beer discussion. We'll have that discussion in Brussels. I'll
                     buy the beer. Anyway, okay. It seems like it's pretty tilted towards try. I'll
                     make a call from the chair and say let's put that in the Brussels column
                     unless...

John Nevett: Mikey, it was requested that you actually speak the numbers for the recording so we'll have a reference.

Mike O'Connor: I'm sorry. For the folks on the recording the number is 11 to 2, 85% to 15%. Good catch John. And I can also show you who voted which way. I just found this. Isn't this cool? I don't know if that's a surprise to everybody but this is not anonymous voting.

I can even sort them by who is which way.

Avri Doria: But should you?

Mike O'Connor: Sorry. (I'm not going to).

Alan Greenberg: If you're seeing names, we're not.

Mike O'Connor: Really? Well, dang.

Alan Greenberg: All I have now is a bigger window but most of it is empty.

Mike O'Connor: Well, rats. Okay. Well, I'll go back to the old way. I can see names. I guess I can't - I was so taken with that. Well, rats. Okay.

Alan Greenberg: I think if you're going to display the names you should tell us ahead of time.

Glen de Saint Géry: And could you say your name each time you speak please for the recording?

Alan Greenberg: It was Alan last time.

Ken Stubbs: Yeah Mikey, it's Ken. Can you hear me?

Mike O'Connor: Go ahead, Ken.

Ken Stubbs: Yeah. I think at this point in time there is a certain tone that is established in the meeting and part of that meeting is the ability to be able to vote or call it somewhat impulsively.

                  But from a practical standpoint a lot of votes that are being taken are really just how you feel about it the way it was phrased. You don't necessarily - it isn't like you're going to have to rethink it but let's make it very clear what kind of a deal we're operating under.

                  If you want to do open voting, that's fine. That's a decision the group should make. But you may find that you won't get as responsive of a group and it may actually at some point even hurt you a little bit. Just a thought.

Mike O'Connor: Yeah. Well, that was an impulsive move on my part.

Ken Stubbs: I won't say it's intimidating because I don't really think it's intimidating but some people would be forced into much more deliberative action before they push that button if you know what I mean.

Mike O'Connor: Yeah. I stand corrected and besides it was stupid technology that didn't work anyways. I note that Sébastien agrees. So all right. So the current tally is 12 think it's possible to get there before Brussels and a couple of folks don't. So I'm going to put that in the Brussels pile.

Ken Stubbs: We could switch to humming.

Mike O'Connor: That gets us back to the recurring music theme in this working group and I'm all for that. Okay. Anybody got another topic that they want to either lobby as too hard to make Brussels or possible to make by Brussels? John, your hand was raised?

John Nevett: I just wanted to make sure I'm clear that I understand what we just voted on and that is that we just agreed that we could reach consensus perhaps by Brussels of what actually exists in the current registry agreements?

Mike O'Connor: No. That's the first try. The second try is the one on the screen now that says can we arrive at consensus on what the thresholds are.

John Nevett: Meaning what they are now in the current registry agreements?

Mike O'Connor: No.

John Nevett: Or what they are in various proposals?

Avri Doria: What they could be.

Mike O'Connor: What they could be. What those thresholds could be.

John Nevett: So it's not what they are, it's what they should be?

Mike O'Connor: Should be. Or should be.

Avri Doria: Yeah.

Mike O'Connor: Avri.

Avri Doria: (Nominative, not descriptive).

John Nevett: That doesn't sound consistent with what Avri said.

Avri Doria: Yeah, that's what I meant.

John Nevett: Okay. Good.

Mike O'Connor: And do - the poll is still open. Is that what people thought they were voting on? Because if it's not, this is the time to change your vote.

Ken Stubbs: You've got to give people a chance.

Mike O'Connor: Yeah. Jeffrey, go ahead.

Jeff Eckhaus: Yeah, thanks. I think to make this hopefully - actually I don't want to confuse it but I think I might - to say on the stage of ownership I think that there were two separate issues I think and this was in on the lines of the grid, which would be percentage of ownership.

                   If you own and if you distribute that TLD so co-ownership where you could distribute it versus co-ownership, the percentage if you don't have any distribution or not. If you own the registrar but you don't distribute, you are TLD through that registrar.

                   So those were two very distinct items and those are two percentages of ownership that were both I believe headings in the grid.

Mike O'Connor: So are you proposing that as something that we see if we can arrive? Is that a new topic for...?

Jeff Eckhaus: No, I think Mikey is that there are so many different nuances, so many different flavors here that I don't know what the poll - what it's going to signify because each one is so interconnected.

                   And I just want to bring up something that I see and I was going to say this and Jeff Neuman is bringing it up on the chat also. The ownership itself is not a stand alone point; control is a part of it. So I understand that we want to sort of get a poll or a feel of this.

But I don't know how helpful this is going to be on this on the short amount of time we have just because there are so many things that are connected that maybe just discuss some of the actual issues versus what we think we can solve in the next three weeks.

Mike O'Connor: I think I'm gong to just take this one as leaving this topic in the pile to continue discussing for now and leave it at that. I don't really want to try and drive this one to ground. I agree that this is a complicated, interconnected discussion.

But again, I'm just sorting the work into piles. And I think that the question is should we leave it in the pile pre-Brussels or should we take it out and say no, there is no way we are going to get there by Brussels?

Jeff Eckhaus: The thing is first of all my point is I don't want to take anything out of the pile and say hey, let's look at this down the road. Maybe something like orphan TLDs because we have such a long time to decide because we're not going to find out if someone is an orphan TLD or if we need it down the road.

But that might - that whole point about an orphan TLD might be moot if we decide on 100% co-ownership. So I don't want to take anything out of the bucket. I want everything to be in there because I think everything is so connected and important. I wouldn't want to say let's defer this until later as a group.

Mike O'Connor: I think that if we leave everything in the bucket at this stage in the game, this is just not profound wisdom handed to me from on high. It's just a guess. But if we don't narrow down our work a bit we won't make it. We won't have an agreement. And that is certainly an outcome but what I'm really struggling to do right now is to tee us up to be able to get something agreed to.

Jeff Eckhaus: No. Mikey, I agree with you and I think one of the ways to do that, part of my thought process and I sympathize, is to say let's - my thought is to separate

this into sort of application versus distribution because the first part is let's see who can apply and who cannot apply because of a lot of the issues with co-ownership keep out certain classes of people who can apply.

And who can be a registry service provider and who can do those things? So those are the initial parts. I think to separate that, the application to let's call it the distribution phase, which is the single registrant, the exception, the orphan TLD - those sorts of things.

I think if we separated into that it's a good thing because the near-term issues are who can apply and who can operate in that environment versus how can they be sold and who can and what are the ways of distribution? So that would be my suggestion on how we separate versus going across the grid that way.

Mike O'Connor: That's an interesting idea. Scott, your hand's up and then maybe I'll do the apply versus distribute thing. Go ahead Scott.

Scott Austin: Okay. This may not be the right time to raise this but there has been so much chatter on the list about the question of harms. And I have to tell you I'm at a point where I have seen what appears to be people saying that there will always be harms regardless of what we do.

I have seen other people say that there clearly are some harms. But I tried making a list of what I thought might be some and maybe it's because I'm naïve or I'm not in that business that it was looked upon as those are things that people will always get around no matter what.

So I guess my question is should there be some consensus reached that yes there are harms if we have vertical integration? Or is that too much of an open question?

Mike O'Connor: Well, we can put it up here. Let me capture two to Jeff's - so one question would be can we arrive at - no, I don't need to do that. That's just respinning our whole deal.

Can we arrive at a consensus pre-Brussels about definitions of harms that could arise from vertical integration? And the other one is is it useful to split discussion between application and distribution? This is back to Jeff's question with and eye on settling distribution issues pre-Brussels.

Somebody is having a hell of a tough time muting with the siren in the background. There we go. All right. So I am going to take down the poll. That one is final. The final for the consensus on what thresholds should be question came out at 11 to 3, 79% for, 21% defer. I'll clear that.

And why don't we start a discussion and put these in the order that they came in? Let's do Jeff's first and then we'll do Scott. So right now let's talk about whether we want to, whether we think splitting the discussion between the application phase and the distribution phase is a way to split our work up so that we can get something done pre-Brussels that mostly focuses on the application side of things and leave distribution issues until post-Brussels.

People want to comment one way or the other on that idea or just I guess we could do the - I'll tell you what. I'm going to close this poll because this one is really a yes or no question. Let's do the one on the left side of the screen. This time I agree that this is a good approach or I don't.

So again, the question on the table is should we split our work in a new way, splitting between who can apply and then the other half being how are the domains distributed with an eye towards trying to run the who can apply questions to ground pre-Brussels? Alan, go ahead.

Alan Greenberg: Yeah. I'm afraid I think this is just another split where the two sides are tied together. People are not going to want to apply unless they understand what they'll be able to do afterwards. So I don't see how you can separate these.

Mike O'Connor: I would put that in the archetypal example of an I don't agree vote for this one. Ron, go ahead.

Ron Andruff: I think Alan just hit the nail on the head for me as well. This is a confusing question that is being asked. Anyone can apply. Once the final applicant guidebook is clearly defined anyone can apply. So it's a question of whether or not an entity has a desire to apply.

So at this stage we all are understanding that there is going to be linguistic ones, there are going to be some community-based ones, there are going to be some brands and so forth. So I'm not sure where this question takes us.

Mike O'Connor: Fortunately, Jeffrey has raised his hand. Yikes.

Jeff Eckhaus: Yeah, that hurt. Actually Ron, I disagree with not everyone can apply because right now as network solutions, they can't apply right now until we figure it out even if they want to go through it. Right now affiliates can't apply.

They have they're at zero co-ownership. All these people cannot apply. So I think we can't say anyone can apply because they can't because there is co-ownership in these groups. So I think that I'd keep away from saying that at this point anyone can because they cannot.

Mike O'Connor: Thanks Jeff. Alan.

Alan Greenberg: I was going to make basically the same statement. Any existing registry that happens to own more than 0% of a registrar and most of them are allowed to own I believe up to 15 according to the current rules are forbidden.

And any registrar could not apply to be a registry or someone who owns a registrar could not apply to be a registry because that would imply a level of co-ownership. So the zero forbids a huge number of people from applying.

Mike O'Connor: Okay. Any more clarifying thoughts? The voting is sort of trickling in right now. It's not an enthusiastic feeling about this approach.

Avri Doria: What are we talking about?

Mike O'Connor: This voting is a yes or no vote at this point whether this would be a useful way to split our work.

Avri Doria: Apologies. My attention strayed. This is Avri. What are we voting on?

Mike O'Connor: We're on the second to the last one, whether we're going to split our discussion between now and Brussels and concentrate on the question who can apply to be for a TLD and leave the issues of how those TLDs get distributed and sold for post-Brussels.

Avri Doria: Thank you.

Mike O'Connor: Tilting pretty strongly in the direction that says that folks don't feel that this is terribly helpful, 11 to 1, a 92% to 8% split. I think I'm going to put this one in the pile that says not the sense of the group at this point. Alan, is your hand up from before?

Alan Greenberg: Yeah. Sorry. I forgot to put it down.

Mike O'Connor: No worries. Okay. Let's see. I'm going to say declined by the group on the call. And now we'll get on to Scott's topic, which is at the bottom of the page there that says can we define the harms associated with vertical integration pre-Brussels? Is that a fair restatement of your question, Scott? I always want to make sure I get that right. Go ahead.

Scott Austin: Yeah Mikey. I just think that to me it's almost a baseline issue. I mean I have seen comments on the list that there are no harms because in the presence of vertical integration you'll have the same issues as you do with zero vertical integration.

So to me this committee must have been formed for some reason and there must be a status quo that says we don't want vertical integration because there seems to be some harm in it. We're a policy making body; essentially we're legislating. And usually legislation is created to deal with some kind of harm unless it's to enable something that couldn't be done before.

And in this case it is and that's what I'd like to see and I think it's possible that there are some harms. I would hope there are or I'm not sure why we're doing this.

Mike O'Connor: All right. That's clarifying. Let me open the poll. Now we're back to our right side poll. I am intensely dyslexic so if I start talking hard about the wrong side of the page somebody please correct me.

But I've got the poll open on the right side of the top there that says shall we try pre-Brussels? Shall we put this in the pre-Brussels pile or shall we put it in the discussion for the longer term more theoretical back to basics research phase project that is going to take us quite a while to get done?

So go ahead and make your choices. Given that nobody is voting, I'm concerned that I've either goofed up the poll or it's not clear yet what folks are voting on. There is a fair amount of noise in the chat room. Jeff, do you want to jump in and state those?

Jeff Neuman: I'll try. I'm sorry. I'm on a train so that's why I'm not talking.

Mike O'Connor: This is Jeff Neuman now. (Jeff, go ahead).

Jeff Neuman: Yeah. Basically there are a number of emails and a number of comments that during the numerous comment periods that ICANN has had on this topic. Scott, the fact that you may or may not agree or may not have read them, the harms have been expressed.

And I just don't think that we're going to get to do anything more or agree or disagree any more before Brussels. I mean I don't want to go through this exercise again. The harms have been listed, they've been sent around in emails. But until it's fully studied I don't think this group is going to come to some sort of consensus on that issue.

Mike O'Connor: Thanks Jeff. Way to go getting on the phone on the train. That was Jeff Neuman. Alan, go ahead. Alan Greenberg.

Alan Greenberg: Yeah. The point I made a number of times and I think it's relevant here, which explains why I can't answer the question is I don't think the onus is on those who are harmed to show what the harms are, but the converse.

That is those who want to make a significant change to demonstrate how they are protected from any harms. And so in terms of defer until post-Brussels, again I think that the crux of the issue right here is is this topic one that we an arrive at consensus on as a group pre-Brussels.

It's not trying to actually resolve the topic today. I don't think we can resolve it post-Brussels because I don't think the issue is to come up with a definitive list of what all the harms are.

Scott Austin: Let me just make a point that my question was not to resolve it. And Jeff seems to have answered it saying yes, there is a list of harms. It has gone around almost as if it's a silly question.

If it's that silly then it seems to me we have consensus. There is a list out there. Whether or not they can be resolved is not my question. It's just that I think we should put them on the table or I don't know what we're arguing about.

Mike O'Connor: That's a fair clarification. Ron, go ahead.

Ron Andruff: I spoke on the list about this the last few days myself and the issue of harms from my point of view is only to in relation to how will compliance deal with these harms?

So the concerns that I was trying to bring out on the list was how do we start a process that we have never experienced before when we haven't had a chance to really address to look at how any issues that are already harming the Internet today are going to be addressed going forward.

So I made a recommendation that we might get the head of compliance, David Giza, on one of the calls and ask him how he expects to be able to ramp up to be able to meet the kinds of challenges. And what are the challenges that they see from the point of view of harms?

What are the concerns that they see? And if he tells us a story that's all well and good, we've got everything in hand, then a lot of the major concerns about harms will probably fall away for us. But if he says we have some specific concerns in this area or that area, that kind of knowledge might be beneficial to this group to take some steps forward.

Mike O'Connor: Okay. I think we have got to try to put this one to bed. Right now not very many people have voted but 100% of the three people who have raised their hand in the poll are saying let's defer this one to our deeper, more thoughtful phase.

A few more folks are trickling in now. Why don't we try and get the participation up a little bit on that and then we'll take a sense of the group? We seem to be more or less done. We don't have quite as many people voting this time.

Now it's starting to trickle in. The voting seems to be leaning towards defer at this point. For those of you who are just on the phone it's 10 votes for defer this issue and one vote to try and nail it down pre-Brussels. So I think I'm going to take the sense of the group on this one to defer this one. Going once, going twice.

Alan's point on the chat is maybe we need a brainstorming on just this issue and I'll take a moment to sort of advertise the next phase, which I think is where we can have a lot of really wide ranging discussions, send people off to do research, do a whole bunch of things that we just don't have the time on this frenzied first effort to do.

And that's where we could certainly collect all the work that has already been done, tidy it up, discuss it, add the ones that we have missed or that have been missed so far, bring David Giza in, bring in competition experts, whatever. So it's not that any of these topics go away. It's that they don't get nailed down for this essentially response to the board decision in Brussels.

Okay. I'm going to call this one done. It's 11 to 1, 92% for deferral. Thanks for the topic, Scott. And we'll certainly not lose this topic. This is clearly one that people are very interested in but I think we will wait until our more thoughtful, longer effort.

Ron, is your hand left up from before or do you have a new topic that we want to...?

Ron Andruff: Sorry. I beg your pardon. Take it down.

Mike O'Connor: No worries. No worries. Any other topics that folks want to try and discuss? Roberto. Go ahead Roberto. You may be muted. We're still not hearing you. There we go.

Roberto Gaetano: I'm unmuting

Mike O'Connor: It's working now.

Roberto Gaetano: Yeah. It's a 15-second message to tell me that I'm muting in which I cannot talk.

Mike O'Connor: I didn't know that. Okay.

Man: Yeah. It's the new number that we're on today reverting to the old message.

Mike O'Connor: Okay.

Roberto Gaetano: Whatever. No, I have a question about the harm. I mean there has been a lot of traffic on the chat about the harm. Now supposing that we have harm I think that the issue should not be focusing we'll never get it solved if we say is there harm, is there no harm?

There are two camps and there is no way to get a consensus. But the question could be phrased in a different way. Supposing that we have harm, can this harm be limited or hedged or whatever in specific cases? So can we design a subset for which the harm and the potential for gaming and so on can be limited so that we can make a recommendation for progressing at least for the subset of (this)?

So the question is not black or white, is there harm or is there no harm? But is there a way in which we can agree that the harm is so limited that we can go ahead in Brussels and make a recommendation for exceptions to the rule?

Mike O'Connor: Let me see if I can capture that. Can we make a recommendation with regard to a mechanism that would limit any harms should they occur? How about that? Roberto, did I get close on that one? Do you want to tune my (phrasing)?

Roberto Gaetano: Yeah. What I'm saying is that potentially we have harms in the general case. But we need to work on the individual harms to define subsets of applications for which that particular harm will not produce or at least would be produced with a low probability or we have some actions.

Mike O'Connor: Okay.

Roberto Gaetano: I might after dinner come up with a more understandable statement on the list.

Mike O'Connor: I think that would help Roberto. I'm not quite following it and I'm feeling like I'm doing a bad job of summarizing it. Is this something that you want us to - Jeffrey, are you jumping in there to try and reframe Roberto's statement?

Jeff Eckhaus: Yeah. Or hopefully to clarify and maybe give an example if I may try.

Mike O'Connor: Yeah. Go ahead Jeff.

Jeff Eckhaus: Is one of the - I think maybe by example it might work. One of the issues that one of the harms that we have seen or other areas of saying hey, people were very concerned about sharing of data from the registry to the registrar.

And then the registrar could use that data to their advantage or that was a piece that was I think a concern among people. So I think what some of the proposals had said I believe like the JNTUI had been discussing also, saying okay, if that registry if they have 100% co-ownership of a registrar then that registrar could not distribute that TLD or resell it or anything.

So that would be a mechanism to take out a lot of the harms that people were concerned about. So I think saying hey, there are specific harms. I agree with Jeff Neuman, they have been discussed nonstop on the list and in the past. So let's think about some of the mechanisms to stop those harms and as a way forward versus just sort of - I think that's what Roberto was getting at. But I'll be quiet and maybe I'm wrong on his point.

Mike O'Connor: Alan, go ahead. And then when you're done, can you mute? Your line I think is causing a bit of echo. Go ahead, Alan. It's not. Never mind.

Alan Greenberg: I guess my problem with what Jeff suggested is that most of the potential things that we're worried about, which may cause harm are contractual issues and ones for which there are no easy remedies once the contracts are signed.

Jeff Eckhaus: Can I ask Alan to give an example of that? Maybe I'm confused. What do you mean by contractual?

Mike O'Connor: Yeah.

Alan Greenberg: If the contracts allow complete vertical integration for instance and we find that there are harms associated with that that we did not protect against, we're stuck with it.

Ken Stubbs: Mikey.

Mike O'Connor: Yes sir. I'm sorry Ken. I skipped you in the queue. Go Ken Stubbs.

Ken Stubbs: Yeah. I've got one comment to make. Hold on. I'll get back with you.

Mike O'Connor: Okay. All right. So I have tried to capture this. Let's see if I did. And I have said can we make a recommendation with regard to mechanisms that could limit specific harms should they occur?

And then I used Jeff's example. A registry shares data with a registrar and a registrar - maybe I take that example out. Ken, are you trying to jump back in? Somebody is either speaking and not on mute - okay. And so maybe what we would have to do is put the harms in categories, types of harms.

And then arrive at some mechanisms to address those types of harms. And Alan, maybe that would be a way to address your concern, which is maybe the types of harms could be fairly broad. Now that also kind of tiptoes into an area that I saw a fair amount of agreement in the matrix, which is the area of sanctions where a fair number of the proposals has sanctions language in there.

And maybe what we could do is wrap the sanctions discussion into this as something that we could also address pre-Brussels. How about that? Let me add that to the pile. So again, we're back to our question of the day. Is this and it's at the bottom of the screen and it's scrolling for me. If it's not scrolling for you you may need to roll your screen down to see it.

But it's the last chunk. And I think I'm ready to throw the poll open on the right side of the screen and ask the question do we think that we could come to some sort of consensus point of view about this topic pre-Brussels or not? Okay.

We're up to nine votes, two-thirds are inclined to defer, one-third are inclined to - it's edging towards 50/50 now. It is 50/50 now. John, go ahead. John Nevett.

John Nevett: Yes thanks. I just wanted to explain and maybe defer is not the right term because people get a little scared off by that, people who are concerned about the timeline and slippage.

But to me and it's a term overused I would say in a prior working group that Jeff Neuman and others have worked on called the Tapestry and that splitting these up and saying we can work some of these issues prior to Brussels and some after Brussels for me doesn't work because I think they're all interrelated.

I have a very hard time finding thinking that we could achieve consensus on a subtopic when we don't know or like an exception when we don't know what the rule will be or a sanction when we don't know what the harms might be because we don't know what the rule might be. So I think they are all interrelated. I have a hard time saying that we're going to get consensus on one piece before we look at the whole thing in a holistic manner.

Mike O'Connor: I think that's a good - we are drawing down to the end of this call and I think that's a good topic for the last vote. Let's wrap this one up. Right now the sense is on the question about harms the sense of the group is evenly divided.

And I think we'll leave it at that. But now let's put essentially a summary of your thought there John. And I think that what I would - my first try would be something like issues are so interrelated that it's better to tackle them - better not use that (palpable) language - to address them together rather than breaking them apart.

And I think that for this one we'll do the agree/disagree poll on the left side of the page instead of the one on the right side. So I have done a kind of lame job of summarizing John Nevett's point. It's been made a couple of times on the call that it may be a fool's errand to try and split these things apart because in doing that we introduce so much uncertainty because they're all connected.

And you really need to know all the parts before you can agree to any. And it's getting overwhelming support so far. Damn. I just wasted an hour and a

half of all your time. That is - I sincerely apologize for that. And so I think we have learned a lot. We have had an interesting discussion but I may not have moved the ball forward for you very much.

Alan Greenberg: Mikey, it's Alan. I was going to suggest a different last poll and maybe there is still time to do it.

Mike O'Connor: Okay. Yeah. We've got another five minutes.

Alan Greenberg: How many people on this call are willing to go into Brussels without coming to closure and therefore we will live with the 0% for a decision?

Mike O'Connor: That's a good inflammatory one. I like inflammatory ones. Let's try and drive this one to closure and then we'll do Alan's as the last one? I'll sort of let the polling rise to its normal 10 or 11.

It's not quite as overwhelming. Now it's seven folks agree that we need to keep this all interconnected and three folks think that they could be split into chunks. But now it's up to 11 and it's 73% agree with John and 27% think that the chunking might work. So let's call that a decision.

I'll close that poll. And now we'll put Alan's question up for the final climax of the day. You want to restate that Alan?

Alan Greenberg: Sure. I'll restate it in as inflammatory way as I can.

Mike O'Connor: No.

Alan Greenberg: No but it suits your agree or disagree.

Mike O'Connor: In stark.

Alan Greenberg: It matches your agree or disagree.

Mike O'Connor: Okay. Go ahead.

Alan Greenberg: You are willing to go into Brussels without a proposal for the applicant guidebook therefore leaving the zero position board.

Man: Why don't you stop right there, Alan?

Mike O'Connor: Yeah. Why don't we just leave it without that final thought?

Alan Greenberg: Okay.

Mike O'Connor: Okay. Are we willing...?

Jeff Neuman: This is Jeff. Can I make a quick comment?

Mike O'Connor: Yeah. Go ahead Jeff. This is Jeff Neuman.

Jeff Neuman: Yeah. I think we will see in the next week what the recommendation for staff is interpreting that 0%, which I believe is a bluff by the board by the way. So it's possible in a week we may have a different opinion on this.

Alan Greenberg: Point taken.

Mike O'Connor: Let me use up one of my telephone calls to a higher authority. Anybody on the staff, can you remind me when the drafts - or maybe Jeff you know - when the draft applicant guidebook is out?

Mike Zupke: It's coming out Friday, Mikey. Remember on the (stone) call yesterday?

Mike O'Connor: That's Friday tomorrow or Friday a week from now?

Mike Zupke: No. Friday tomorrow.

Mike O'Connor: Good. Okay. So we'll have scoop. No, I missed that part of the call Michael. Sorry. So okay. So I'm going to close - let's see. I've closed the poll and I'm going to clear the results.

So now the question on the table is are we willing to go to Brussels without a proposal for the applicant guidebook? Use the poll on the left. And Scott has got his hand up, Scott Austin. Go ahead.

Scott Austin: Well, maybe the answer was just given on this but what are the consequences of not providing because we have seen different dates that we are trying to achieve and I thought that was one of the reasons we were trying to reach some consensus of some items.

Mike O'Connor: Yeah. Well, I think that until I'm told otherwise that the consequence for no agreement going into Brussels is that that is our deadline for our ability to influence the applicant guidebook's language about vertical integration. Otherwise the board language will stand as interpreted by the staff.

Alan Greenberg: Mikey, it's Alan. As I understand it, going to Brussels guarantees us a window. After that it will depend on when the final applicant guidebook comes out and how good an idea we have to warrant them putting it in at the last moment.

Mike Palage: Yeah. This is Mike Palage. And again, we're all operating on the assumption that Dag 4 is the final dag. From a gambling perspective I'm seeing Dag 5 in Cartagena later (in fact).

Much ado about nothing. Let's just focus on getting our work done. When we get it done everything else will fall into place.

Mike O'Connor: I think that's right. Okay. Poll's open. We're winding down. We've got one minute to go. Let us know if we've got...

Ron Andruff: Mikey, this is Ron. I've got my hand up just with regard to the poll. Can you just define consensus possible means yes, I'm willing to go to Brussels and deferral on this phase means no, I'm not willing to go to Brussels without a proposal?

Mike O'Connor: No. I'm sorry. A, I apologize because I didn't have the poll opened. And B, I want to use the one on the left this time. I want to use the I agree that we are willing to go to Brussels without a proposal or I disagree.

John Nevett: That's why I phrased it I am as a statement as opposed to are we as a question.

Mike O'Connor: Yeah. I am. We'll clarify that. I am willing to go to Brussels without a proposal for the applicant guidebook. And so now you're using the poll on the left to agree or disagree with that. Wow. Overwhelming agreement.

Scott Austin: What I've heard is that there is no consequence if we don't, if we go without one.

Mike O'Connor: I think that's the problem, that there is a fair uncertainty. The presumption that I have been laboring under is that Dag 4 is the final dag and that dates that we have laid out are driven by that set of deadlines.

If Dag 5 pops up then all of that is out the window. Okay. And we do get to see Dag 4 tomorrow, which is very helpful. I'm sure that a lot of us, at least I am going to go right to the vertical integration section and see what is there. Okay. We've got our usual suspects voting.

About 13 people, the vote is 10 - oops changing as I read. Nine folks are saying that they are willing to go to Brussels without a proposal. Two are really wanting to go to Brussels with a proposal and two folks need more information and we are going to get a pretty significant piece of information

tomorrow in the new guidebook and that may be what's driving some of those votes.

So with that, I thank you all for the call today. I will scratch my head. I again sincerely apologize for maybe taking you down a path that didn't actually move the ball for you. And I really want to hear from folks as to how to best use these calls to help you.

So if anybody has got any feedback either on list or off list please let me know. Let me just take a minute for those of you who can hang on the call to talk about what would be the best use of the time next Monday. Certainly one would be a review of the language that is in the dag.

But what other things can we do to help move this process for you? Is there anything you can think of?

Man: Mikey, it might be useful to have (Kurt) on the call in case the clarity is not as clear as they hope.

Mike O'Connor: Yeah. That's a good idea. I don't know if we'll get him. It's Memorial Day holiday for the ICANN staff folks. Any staff folks got any thoughts? Margie, are you on the call right now?

Margie Milam: Yes I am on the call right now.

Mike O'Connor: Do you have any sense as to whether we can get (Kurt) on the call as a special favor, personal favor to me?

Margie Milam: For this Monday?

Mike O'Connor: Yeah. This coming Monday.

Margie Milam: I doubt it. They have so many documents in addition to the applicant guidebook and all these memorandums that if they don't get it out on Friday they'll get it out on Monday. So I just know he is frantic until these documents are posted.

Mike O'Connor: I wonder if we could put a request in to get him on for 20 minutes. This is so germane to that one section of the guidebook, which is the one of the ones (he's moving). Could you at least ask him?

Margie Milam: Yeah. I'll certainly ask him.

Mike O'Connor: That would be great. Thanks very much. Okay folks. I appreciate your engagements, your good human, your work, everything.

Liz Gasster: Mike, this is Liz. I just want to add that because it's a holiday it'll be very lightly attended by staff too.

Mike O'Connor: Yeah. I know that.

Liz Gasster: I don't know what persons' plans are.

Mike O'Connor: No. I understand that but maybe he could get on his cell phone from the beach or whatever. I really think that it would be helpful to have a clarification because we are just winding down so close to the end here.

So thanks all. Appreciate you hanging on for an extra five minutes. We'll see you Monday at the usual time and the usual numbers. We're back to the old phone number for Monday's call.

((Crosstalk))

END