SO/AC New gTLD Applicant Support Working Group (JAS) TRANSCRIPT Tuesday 24 May 2011 at 1300 UTC

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ALAC

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Apologies:

Karla Valente Olivier Crépin-Leblond – ALAC chair Cheryl Langdon-Or - ccNSO Liaison - APRALO Carlton Samuels – LACRALO - At Large - WG co-chair Carlos Aguirre – Nominating Committee Appointee to GNSO Council Alain Berranger - Individual Dev Anand Teelucksingh – At Large Michele Neylon - RrSG Baudoin Schombe - At–Large Tony Harris –ISPCP

Gisella Gruber-White: Good morning, good afternoon, good evening, to everyone on today's JAS call, on Tuesday, the 24th of May.

We have Rafik Dammak, Tijani Ben Jemaa, Alex Gakuru, John Rahman Kahn, Sebastien Bachollet, Alan Greenberg, and Dave Kissoondoyal.

From staff, we have Gisella Gruber-White and Glen de Saint Gery.

And we have apologies from Cheryl Langdon-Orr, Olivier Crepin-LeBlond, Dev Anand Teelucksingh, Cintra Sooknanan, Carlos Aguirre, Baudouin Schombe, and Michele Neylon.

And if I can please just remind everyone to state their names when speaking, for transcript purposes.

Thank you. Over to you, Rafik.

Glen de Saint Gery: Sorry, Gisella. Excuse me. We also have apologies from Karla.

Gisella Gruber-White: Lovely. Thank you.

Rafik Dammak: Thank you, Gisella. Thank you, Glen.

So also thanks for everybody who joined the call today.

Please Glen or Gisella, add me to the (stacks) of my Adobe Connect.

Gisella Gruber-White: Absolutely.

Rafik Dammak: So for today, I (try) to discuss it with (unintelligible). I am sorry that we didn't send a (unintelligible) in prior -- sorry, just a few (unintelligible) -- I didn't send a prior agenda, but we saw that maybe we can start with discussing about --

to continue the work with the respect to the (unintelligible) but also to the (world) (unintelligible). And then - (unintelligible) okay I have problems with the PC.

And also to talk about possible conference or meeting with the board and GAC members; and also talking about finalizing for Singapore.

As we think -- I think it's maybe better and also it's an urgent matter -- I think we can mostly talk about that meeting between the board, the GAC members and JAS Working Group.

And so we started the discussion on last Friday when Sebastien suggested that in the chart, we have the (unintelligible) and this today call, so maybe he can present more ideas, and see what we can do. And I will also update about the reaction of the GNSO council.

Sebastien?

Sebastien Bachollet: Thank you, Rafik.

Yes, I joined the (unintelligible) last week in Istanbul by chat, not by voice. And (I wanted to) compare what I was trying to say in the chat with (unintelligible).

First, (unintelligible) in the (unintelligible) subject, is one of the subjects of the GAC board discussion. And as you might (unintelligible), requesting the board to (act) by the GAC and the (scorecard). And it's a remaining issue obviously because there is no answer yet. Because we at the board are waiting for the work of the JAS group.

And I need to make a disclaimer, as usual. I am not talking on behalf of the board, but just on behalf of myself.

Then the idea was to (unintelligible) as this subject will be subject to discussion in the (unintelligible) between GAC and the board. Some of us suggest that we need to have the JAS group coming to discuss with the board and the GAC at Singapore, before any decision of (unintelligible).

(Unintelligible) we see that it will need to be (to happen) on (Sunday). And I know ALAC, GNSO, GAC -- already a lot of meetings on (Sunday). But it (unintelligible) will have to move to (unintelligible) if we want to (unintelligible) with the new (unintelligible).

So to do that in a better way that we suggest (for such an open confirmed call). I would say that (is not) possible with GAC and board participants to allow the JAS group to be very aware of one of the subjects that the board and GAC would like to discuss with JAS and to organize the sessions.

And it's like the board GACs -- it will be a board GAC session with the input of the JAS group and maybe it will (unintelligible) also include of the (unintelligible). But the main purpose of the board discussion is a (cross constituency) working group in Singapore.

And I know there is a lot of discussion around the (world). Who could top this? But I just want to remind that with the (unintelligible) between (Nairobi) by the board must pass the (unintelligible) to (unintelligible) working group.

The (unintelligible) was in fact the GNSO and the ALAC who (set up) this working group. But I think -- we think that we can (unintelligible) with this working group because it was the request of the board to set a new (unintelligible) of this JAS group.

(It's not) to say that I like all GNSO and (unintelligible) (that becomes a part of) the discussion and the board simply needs input from (the team).(Unintelligible) waiting on (unintelligible) from other (unintelligible) in the GAC

(unintelligible). So it is possible, because it's not a (unintelligible) we need (unintelligible).

The goal for our call is really help working group to be prepared for the (unintelligible) and the meeting.

I guess it's my summary of the (unintelligible). Of course we will go through (unintelligible) and through (unintelligible) and to try to answer any question you might have.

Thank you.

Rafik Dammak: Thank you, Sebastien, for this update.

And we have Alan (unintelligible). Thank you. Please Alan, go ahead.

Alan Greenberg: Yes, thank you.

I have two comments.

The first with regard to Sebastien's last statement, that the board feels, since the working group was created at their original initiative or whatever in Nairobi, that they can talk directly to the working group.

Unless we're interested in -- how do I put this genteelly -- a confrontation on what the proper method of work is, it would be useful if the board would simply ask the chairs of the two chartering organizations that, to tell them that they would appreciate consultation, either in teleconference, and or in Singapore. The board exercising its power to do it unilaterally, directly with the work group is only going to cause significant problems, both to the working group and to the charter, and wasting time in the chartering organizations.

So I'm not interested in posturing at this point; whether the board believes it's necessary or not, there should be an immediate request made from the board formally to the chartering organizations, if this kind of thing is worth -- is something they want to pursue.

Number 2, in terms of the actual substance -- which is what I'd like to be spending more time on this -- there are, at most, six more meetings of this group before Singapore, before most of us get on planes, perhaps just five. If we're going to have something specific and substantive to talk about, we better start on the work and we better start refining it, because six meetings is not a lot of time to end up with a final polished report, and this better be that.

Thank you.

Rafik Dammak: Just I want to, before giving the floor to Sebastien, I just wanted to reply to Alan about -- yes, I do think that we do need to plan what we need to do regarding our charter.

We spent, I think too much time about the response to the registries, et cetera, and those who - I think we wasted some time after the reviews of the (unintelligible) report, and I think we do need to get back to work on our final report and finishing the remaining tasks.

So I think that it's one of the items in the agenda. I forgot to tell that, but it's one of the items we can like have maybe 20 minutes or 15 minutes to discuss what we need to do and how planning that.

Now I give, I think Sebastien wanted to reply to Alan. Sebastien?

Sebastien Bachollet: Yes. Thank you, Rafik.

(Unintelligible) too much (unintelligible). I agree with Alan. It's why I supported (unintelligible) the chance at the (unintelligible) possible to (unintelligible) the

section (unintelligible) chair of the (unintelligible). And I was only concerned if I can (unintelligible) concern.

But the (unintelligible) to answer the GAC request we need to have some answer from the board in Singapore on Sunday. And (unintelligible) schedule by (unintelligible) so I can fulfill this request. It will (unintelligible), but at the same time the questions, what will be the next phase, we have the second (unintelligible) report until the (unintelligible), which now (unintelligible) by the (elected board).

And we need to see what will be the next phase, because what really (unintelligible) need is to have a final report.

And I will say before the launch of the (unintelligible) on the program, and then we need to be sure that in Singapore we have a clear (unintelligible) schedule and the content of the next item to be worked out to have the final report.

Because we are not waiting -- to be clear -- we are not waiting. I don't think anybody is waiting for the final report in Singapore. Because things can be (unintelligible) to this milestone. So the suggestion is to be sure that the work to be done is clearly defined for the next (phase). And, yes, I think the work must be done.

But every development (unintelligible) (objectivity) (that we fight about) (unintelligible) whatever the one or the other (unintelligible) about, it's to try to find a way (unintelligible) with this important subject.

It does not include the (unintelligible) to the launch of the new (unintelligible) program.

Thank you.

Alan Greenberg: Rafik?

Rafik is disconnected.

Can we just keep on going at this point?

Yes, thank you, Rafik, on the chat.

Just one quick comment -- I may have misspoken. I'm not quite sure what words I used in terms of what we need to do before Singapore. If I said the final report, I didn't really mean that. What I meant is we need to clarify the number of fuzzy things that we said in this particular report. There were a number of things we said, this or this.

We need to give some very strong direction -- not necessarily refine all the details -- but we need to put our stake in the ground and come out with some strong recommendations on what we would expect the board to do in response to our beliefs that applicant (fee) - (some applicant fee) support. Thank you.

Sebastien Bachollet: (Unintelligible).

Man: Yes, thank you. I do agree with Alan, regarding to prepare what we should do with the board. Because if we will have a meeting with the board, I think we have to prepare ourselves and what kind of things that will be discussed during this meeting. We have already some elements from (unintelligible) discussion, you remember.

> So we know more or less what they are working about -- what they are thinking about. And I think we have to anticipate and to discuss those things now, so that when we have a teleconference or a meeting with them, we are more or less prepared.

Sebastien Bachollet: Okay. So I just have a question.

(Unintelligible) and...

Man: No, discussion. I was an informal discussion with (unintelligible). This gave me and some other people some idea about what they are thinking about that.

Sebastien Bachollet: Okay. Yes, that is informative. Anyway, so just to summarize the issue we have.

First, that I think that (the team) now spend the weekend to work the share of our chart and (organization) to ask them about having that kind of teleconference is not that easy. And at least from the GNSO Council it won't be easy but they would agree. I don't know about the ALAC. I think they would discuss that today or after our calls.

The second thing that I agree that you have this teleconference or meeting maybe in Singapore. I think that, yes, we need to prepare, but also we don't forget that we have a report to prepare. So I know we spent some time (unintelligible) to some stakeholder groups, but I our (unintelligible) report, we want to have (positive) comment, so we can have feedback from ICANN community and also keep having discussion with GAC and the board.

I think many times we were sent to work in the final report, which is the most expected outcome of our work in this working group.

And so, I may not think that this discussion between our charting organization and -- I can't think of it, Sebastien -- it's whole - I think it's now, it's up to them to see what can be done. And for the working group side, I think we need to work in the report in the mean time. And when there is some agreement -and there are some agreements, how it will proceed, then I think we can plan how to present our work to the GAC and board members.

And okay. We have Alex and then Andrew. Alex, please go ahead.

Alex Gakuru: Thank you. Alex, speaking.

First of all, I want to establish the membership status of (everybody). (Unintelligible) apologies (unintelligible) on Adobe. And the reason I'm asking this is she was heading a sort of a group we had created on finance and issues that have to do with the funding. And there were some proposals that I was having -- we were having and discussing.

So I'd like to know (our status) as a member of this work group. And then after that then we can figure out what next to do with the proposal for the funding company. Thank you.

- Sebastien Bachollet: Sorry, Alex. I didn't understand your question. I think it's for the working group, but what do you want exactly to know?
- Alex Gakuru: Oh, I wanted to know if every (unintelligible) of just work group. (Unintelligible)...

Sebastien Bachollet: (Unintelligible) - Yes, he is, anymore, member of working group. And yes, that's good question because she was (unintelligible) but working (unintelligible) foundation and funding.

And that's why we need to make some update about that and to see who is leading what.

Andrew, please go ahead.

Andrew Mack: Yes. Thank you, Rafik.

I guess there a group of other people who are active, working on the funding side. I was one of them for a while and would be happy to continue doing that.

(Working) was specifically related to Avri's position, one of the things that she mentioned was that she has been in conversations with at least one government. And it sounded from the conversations that I recall, that was pretty far along in the conversation.

So at the very minimum, we might want to reach out to her and say where were you with that? If you're not able to continue with JAS, perhaps you could help us transition that to somebody who is going to stay on the group who may be able to follow up.

So that was one thought or suggestion.

The second thought or suggestion is that I continue to hear bits and pieces of people who are responding saying that we have somehow or another gone directly to the board. My understanding is that we have not at any point in time gone directly to the board.

And I'm wondering whether can get this somehow another clarified, once and for all, in the public mind, because I had seen one or two comments, one on circle ID and one someplace else, and I thought that this had been put to rest by the good responses of people like, Alan. But, apparently, it's still out there.

So does anyone have any good suggestions? I just -- I think it's just hard enough without having unnecessarily political fights in it. And I know that we really don't want that.

Those are my comments. Thanks.

Sebastien Bachollet: Thanks, Andrew.

Okay, we have Alan and then Evan. Alan, please go ahead.

Alan Greenberg: Thank you.

With regard to the last point, I think the answer is no, we can't fix it. I spent another -- more time than I care to relate, on it yesterday, because the issue came up again in the GNSO. You can't change people from thinking what they want to think. And facts do not necessarily come into this. There is a general (upsettedness) in the GNSO that the ALAC chose to act prior to the GNSO doing anything.

And I don't want go into the rationale for why is the ALAC felt that was correct, but there is a lack of -- there is a concern within the GNSO because of that. And some people are going to keep on saying things that have no basis in fact, and that's life. You can't stop what people say.

So let's move on. As the GNSO liaison from the ALAC, I'm continuing to fight that battle, if and when it comes up again. But I don't think there's anything we can do. So let's not work. Let's not talk about it now. Thank you.

Sebastien Bachollet: Thanks, Alan. I can (unintelligible) we missed a lot of time in the GNSO council about discussing, about the (unintelligible), but not really about the system at the start of the (unintelligible).

So let's focus on our work. I don't think that the working group or member should worry about what is that discussion in the GAC - sorry, not the GAC - in the GNSO or ALAC, and get focused on what we have to do as (appreciating) our (unintelligible).

Okay Evan.

Evan Leibovitch: I just want to agree with Alex - Alan and say we've already spent to much time obsessing with that and Rafik you can do your bit by simply not even bringing it up. This is a matter that is beyond our control. If others want to engage in fear mongering and scare mongering there's not much we can do about it.

> We followed the process, we've done what's been asked of us. If other people want to read their own vision into this that's their problem and we've already spent too much time talking about it here.

Rafik Dammak: Thank you Evan. And that's why I think that we need to move to the next item which is more about planning about what is remaining in our charter and to plan how to work with that. We had some work teams but unfortunately some members left or are really active. So we need to think about to see how we can if we need to prioritize some items or how to work on that to make progress. And so any suggestion about that?

I think we will keep having a (unintelligible) input et cetera Evan and Andrew that works well but I think we need output from the from the work teams. Okay Alex then Tijani then. Alex please go ahead.

Alex Gakuru: Thank you Rafik, Alex speaking. As I mentioned in a previous call to the group and I was given the go ahead I went ahead and requested the government opinion if we could at least create an oversight account where maybe we could brief which is now with the oversight of government. And then maybe we can tell other people who might be interested to (unintelligible) to that the idea was that model which we discussed earlier.

And I am waiting for feedback. I do know for sure that something was, some paper, a concept paper was asked to be drafted to be asked about what I meant and as soon as I get feedback from the government of course I will share it to this work group as I had mentioned earlier. Thank you very much. Rafik Dammak: Thank you Alex. Please Tijani.

Tijani Ben Jemaa: Thank you Rafik. I do support your idea to work on the elements of the charter. I think that this time we have to stick to our charter. We have items and we address it a little -- very, very few of them, very few and even not in an extended manner. So now we have to go back to our charter and to address them one by one.

The work teams that was established at the beginning of this phase are still there. But if the members are not active or don't want to continue we have to form other work teams or make them make other people join those work teams so that we will progress by item. And then the drafting team had the responsibility of compiling the language produced by the work teams. Thank you.

- Rafik Dammak: Thank you. I'm trying to find the charter so we can Sebastien please go ahead in time I will try to find the charter items.
- Sebastien Bachollet: Yes thank you. Two points I just (unintelligible) that we know that there are some Board member and GAC member who reach out someone (unintelligible) envision like we envision. And what I tried to do is to have them at least possibly once in this working group to deal with information in this - to (unintelligible) part of this working group and (unintelligible) their own and to do the side work.

Because again we - this group is the one who will be charter delivering for suggestion. And maybe some member of this working group already contact (unintelligible) well done and (unintelligible). And that's why it's important to act for interest more than GAC member on this (unintelligible) prior to this Milestone Report.

And the second point is I speak during - or we get during both the GAC meeting (unintelligible) declaration of the GAC about they can (unintelligible)

some reporting from this working group. And I think it's important also to have the GAC welcome some brief remarks, ideas about (unintelligible) to (unintelligible). Thank you.

Rafik Dammak: Thank you Sebastien. Okay I just put that subgroup we have regarding our charter and so and I think that for the Work Team 1 which was about the qualification criteria I think that I don't think that it needs more work. Maybe for some refinement but we need also to work on the others items like the Work Team 2 about funding and foundation which need now a new leader as Avri has left the Working Group.

Also the Work Team 3 about in kind services and for Work Team 4 about face fees and waive fees. I think it was covered in our Milestone Report and we have Work Team 5 on IDN support which is leaded by Andrew, yes. So Cintra you want to comment or?

So how do you think that we need to proceed? How we need to plan if people also want to join these work teams to try if he want to, he or she want to be the leader of the Work Team 2 and Andrew please go ahead.

Andrew Mack: Yeah Rafik I've got a suggestion for you. Let's - we've got some people who are - we've got a relatively small number of people on the call compared with the number of people that are in the, on our potential call list and on our mailing list.

> So my suggestion is is that let's put something together and send it out to people saying we're getting the, you know, we're going to do a little more work from each of the working groups. If you'd like to join please send something back to the chairs and please evaluate whether you have the time and whether you have the time to potentially play a leadership role, that kind of thing.

Because I just don't think with the people who are on the call right now we have enough voices. And people probably want some time to consider how much time they've got to put into it too. Thanks.

- Rafik Dammak: Okay, yeah. Okay I guess later we may to (unintelligible) to ask people and also to update those participating in this Work Team are going to continue or are going to change to another one. Just can see that Evan comment on the chat. Evan I don't think we are discussed about the process of (unintelligible) and I'm not going to make that mistake to discuss that process. Just we need to as I say reactivate or back to work and then to starting working again from this call and continue working. Maybe I am mistaken or something but...
- Evan Leibovitch: The Work Team's, doing Work Teams is a process. I think we're actually past that. What I'm going to suggest and making the suggestion on behalf of Cintra and Andrew is to take the existing Milestone Report Number 2, create a Wiki document that starts fresh with that and start redlining the parts of that document that need work.

I don't think this group is going to be rewriting the Milestone Report. In fact the Milestone Report 2 builds on Milestone Report 1 and I can't see having a new document that's going to be significant divergent from that.

If that's the case and since we acknowledge that the first milestone report went out with a lot of rough edges and a lot of details omitted. I think the first thing we need to do is to go through that and find out specifically what are those rough edges and what are those details that need to be fleshed out.

Let's at least identify those parts of it that need the work before even figuring out how to divvy that up. And I would also go back to what Sebastien was saying in that we also need to be very mindful of the reaction that we are getting from the Board and from the GAC in terms of how we move forward. Starting to spend an awful lot of time on details the nature of which are not required by the people that we're speaking too isn't a really good use of people's time.

- Rafik Dammak: So Evan we are assuming that Milestone Report even maybe is not going in details is covering all the items from our charter? That's the first question. Maybe because we...
- Cintra Sooknanan: Rafik I wanted to respond to that.
- Rafik Dammak: I'm sorry Cintra let me continue please...
- Cintra Sooknanan: Oh I'm sorry.
- Rafik Dammak: ...and then you can speak. And then about, yeah I do agree about that we need to have the feedback from the GAC and Board about how we will, what we will need later. But also we need feedback from the ICANN community. Okay Cintra please go ahead.
- Cintra Sooknanan: Thank you Rafik. I just wanted to mention that any redlining process we will be comparing with both charters to see which areas have not been covered fully, which areas need, you know, further fleshing out. And in that then we'll actually see how far along we are in terms of our work in, with those mandates. Thank you.
- Rafik Dammak: I have question Cintra. When do you think that it will be available for Working Group? So to prepare that new Wiki from the Milestone Report and redlining which is our made it into our (unintelligible)? What - where the details are needed? Can you give like date or something?
- Cintra Sooknanan: I will have to coordinate that with Evan and Andrew but I don't suspect that it will be I think it should be in time for the next users call if that's okay.

- Rafik Dammak: Yes I'm just checking to know about the timeline. Alex you wanted to comment because I think you...
- Cintra Sooknanan: Thank you.

Rafik Dammak: Yes thank you Cintra. Okay. So I think yes Evan that's why I was asking just to have an idea how it will make time and...

- Evan Leibovitch: Yeah, yeah.
- Rafik Dammak: ...then just to, when we can tell people to start commencing.
- Evan Leibovitch: Yeah. The mechanics of creating the Wiki page can be done within 24 hours, that's not a problem. The issue then is going to be having people who can go in and essentially point out what needs further work. And so that's something that the three people in the drafting group can certainly do.

But I want to pay - I want to especially ask everybody else in the Working Group to look through this and Sebastien even other people outside the Working Group if there are specific points that require further fleshing out and further detail. This is exactly the kind of thing we need to know moving forward.

Rafik Dammak: Yes and remember that also we have the question that we answered. I think that it give us some idea of what people are asking. So maybe we can add a response to that document somehow maybe with some rewording I think that we clarify some parts. (Unintelligible) go ahead.

Man: (Unintelligible).

Man: Hello?

Rafik Dammak: Yeah, yeah I think it's Sebastien on the phone but please go ahead.

Man: Okay. Thank you Rafik. I want to stress that any way we want to go ahead we have to address our charter items. It is our main mission and we have to address it. If you want to go through as Evan and Cintra proposed to go through the Milestone Reports and from the Milestone Report you try to find what are the items that weren't addressed from the charter it's good, it's not a problem.

But we have to address all the points, all the items of the charter. If we don't agree about them we have to change our charter but if we have a charter we have to stick to it.

Rafik Dammak: Okay and we try to answer that. I don't think that we disagree about that we need to answer all the charter items. And I think the suggestion from Evan and Cintra was to redline what was missing regarding the charter items. So I do think that we are going to address all of the tasks as defined in our charter if I'm not mistaken but that's the idea.

So they will put the Milestone Report to try to redline what's remaining regarding the charter. And so we continue working on some parts to make more detail and other maybe to create them from scratch. Okay any further comments about that?

Okay. I think now we have a script so I think it has clear task for next days and the Working Group members. We'll wait for that and then we are going to continue to work on the final report. I think we can move to the last items which is about planning for Singapore.

If you, some of you already read the e-mail sent by Karla which is giving more details about the public session that we will have in Singapore meeting in addition to our face to face meeting for the Working Group. So I think maybe we need just to like maybe brainstorming what kind of message or that we want to carry and to spread in that public session.

And also maybe just quickly talk how, what kind of format we have. I think before we had like panel with members from Working Groups and then maybe if we keep continuing doing that and then also working on the content of that session. But also how to outreach people so we can have, trying to have different opinion from the ICANN community to help us for to get feedback from the community. Sebastien please go ahead.

Sebastien Bachollet: Yeah just thank you. I am mute can you hear me? No.

Man: Yeah, yeah.

Man: Yeah we hear you.

- Sebastien Bachollet: Yes? Okay great. I just want to be sure that we, the Working Group will have three meetings one the Working Group alone, one with the Working Group public meeting and one with GAC and Board. There will be those three to explain the (unintelligible).
- Rafik Dammak: Yes I can confirm for the two for the Working Group meeting for the public session but for the GAC and Board yeah I think we reached consensus and agreement here in the working group but it's really up to the GNSO council and Alex to approve that.

That's the problem that we have that the item in our charter that not allow us to communicate directly with the Board but if we find some work around some way I think we can have that conference call with Working Group, Board and GAC members.

And then we need just to think about if we need to schedule a special teleconference or we can use one of the call that we have in Tuesday or in Friday for that and it's like we inviting the Board, interested Board members and GAC members to join us. Okay?

Okay. So please any comment about those meetings that we will have it's just - especially what kind of message? I think we need to really to advocate for our Milestone Report because there was some discussion, some (unintelligible), et cetera. But we need to advocate for the recommendation that we are suggesting to the Board.

So okay any comment? Any suggestion? Any idea? Okay so okay I think maybe we can continue the discussion in the remaining minutes maybe it's better and more easy to think what the description of the public session and then we can work on the - okay.

So if there is no further comment we can go to any other business or otherwise I will adjourn this call for today but it will be a really short call I'm sure. But - okay so hearing none I think that we covered the different items off our agenda. Thank you everybody for joining us today for the call and I adjourn this call. Thank you. See you on Friday.

END