

**ICANN  
Transcription  
Standing Committee on Improvements Implementation meeting  
Tuesday 22 July 2014 at 19:00 UTC**

Note: The following is the output of transcribing from an audio recording of Standing Committee on Improvements Implementation meeting on the Tuesday 22 July 2014 at 19:00 UTC.

Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to Inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-sci-20140722-en.mp3>

**Attendees:**

Ronald Andruff – Commercial and Business Users Constituency – Primary – Chair

Greg Shatan – IPC – Alternate

Thomas Rickert - Nominating Committee Appointee – Alternate

Wolf-Ulrich Knoben - ISPs and connectivity providers Constituency (ISPCP) – Primary Member

Avri Doria - Non-Commercial Stakeholder Group (NCSG) – Primary Member

Cintra Sooknanan (Vice-Chair) - Not-for-Profit Organizations Constituency - NPOC

Constituency – Primary Member

Lori Schulman – Not-for-Profit Organizations Constituency - NPOC Constituency - Alternate

Amr Elsadr – Non-Commercial Users Constituency (NCUC) – Primary Member

**Apologies:**

Jen Wolfe - Nominating Committee Appointee

**ICANN Staff:**

Mary Wong

Julie Hedlund

Glen de Saint Gery

Terri Agnew

**Coordinator:** Recordings have started.

**Terri Agnew:** Thank you. Good morning, good afternoon and good evening. This is the SCI call on the 20 - pardon me on the 22nd of July 2014.

On the call today we have Cintra Sooknanan, Greg Shatan, Ron Andruff, Thomas Rickert, Wolf-Ulrich Knoben, Amr Elsadr, and Avri Doria.

We have apologies from Jen Wolfe.

From staff we have Glen de Saint Gery, Mary Wong, Julie Hedlund and myself, Terri Agnew.

I would also like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much and back over to you Ron.

Ron Andruff: Thank you very much Terri. This is Ron Andruff for the record.

So I want to thank the sub teams for doing the work in-between our meeting in London and now. This is our first meeting back and so I just wanted to say thank you for that and also welcome back. Amr haven't seen you for a while and I note you and that noted that you noted in the chat it's been a while so welcome to everyone.

Before we go any further a quick request is has anyone made any changes to their Statement of Interest or SOI since we last met?

Hearing none we will move forward then with the first item on the agenda today. And that's the closing discussion on the waiver of the ten day motion deadline.

This document Mary circulated just after the London meeting and then again more recently and asked if there were any further comments or thoughts.

And I think we've moved this forward quite well to a point where we really are kind of finishing it up right now.

At this stage of the game there - we're it's really this paragraph that you see in blue that we need to speak to. And it was requested it was actually the question about whether or not there was any avoidance of doubt on whether a motion should be - could be considered as a as a submission or if in fact it was going to be a resubmission.

So I would put the floor open to anyone who would like to speak to this document. And we can see if we can get it kind of wrapped up today and ready for the next phase.

Any thoughts, questions comments on this particular text that we've discussed in London and we now have on the table in front of us? The floor is open.

Amr please go ahead.

Amr Elsadr: All right thanks Ron. This is Amr. Yes I noted there was a text and there was some alternate text.

I didn't necessarily feel that any of the one two options was better or worse than the other. I think they're both okay. But the text highlighted here in blue I think is fine.

I also noted going back to the emails because I hadn't been checking emails very frequently. But towards the end of May Greg sent an updated version and explained that you had all discussed it and decided not to include the issue of addressing resubmitted motions and the necessary deadline for that.

I was just wondering if you would all just be so kind to update me on why that was - that decision was made by the committee? Thanks.

Ron Andruff: Thanks Amr. Perhaps I can turn to Mary because you've been shepherding this document. Would you have some thoughts you could share on that Mary?

Mary Wong: Thanks Ron and thanks Amr for picking this up so quickly and of course welcome back.

I'm afraid Ron I don't have all my notes in front of me so I can't immediately give an answer to the specific question.

I think essentially there was a sense very generally amongst the group and again in London that the simpler that we keep it the easier it will be for the reader particularly a reader who is either not legally trained or not overly familiar with the procedures.

So along with that I believe and I'm ready to stand corrected that the recollection here being that, you know, that the language or resubmission of a motion being referenced here there was no overlap and that there wasn't likely to be any reason to have a sort of closer or further reference to it.

Amr I'm not sure if that's specifically what you were asking for but I can look back through the prior correspondence and notes if necessary.

Ron Andruff: Thank you very much Mary. Amr please go ahead.

Amr Elsadr: Thanks Ron. I have no objections to leaving it out as long as the committee is in agreement and in reporting this to the council that that ten day rule waiver will not apply to re-submitted motions because the language in the operating procedures that are being suggested for submitted motions clearly stipulates that the ten day period needs to be present.

So if it isn't addressed here then it should be understood fully that this waiver does not apply for resubmitted motions only for motions that are being submitted for the first time.

If this is clarified then I have no objection. Thanks.

Ron Andruff: Thanks Amr. Does anyone else on the committee have some thoughts that they would like to add to what Mary brought forward?

Mary please go ahead.

Mary Wong: Thanks Ron. Actually I'll see to Greg.

Ron Andruff: Thank you Greg if you'll go and then Mary will follow. Thank you.

Greg Shatan: Hi. It's Greg Shatan. I think, you know, first I'm, you know, happy with the language in blue. It's as good as any other language that could be there. We might as well, you know, settle the issue.

With regard to the resubmission of a motion I think that the other thinking in terms of not changing that section of the procedures was to await, you know, a more general review of the operating procedures as part of the GNSO review and to, you know, keep these kind of interim changes to a minimum since, you know, there's going to be a more general review which, you know, presumably would include a more general review of the operating procedures. Thanks.

Ron Andruff: Thanks Greg. Mary?

Mary Wong: Actually Greg essentially said what I was going to say. I think in terms of going forward with the SCI there's still a sense from the group overall that generally these procedures should be looked at maybe not by the group right now but probably at a - in the very near future as part of the GNSO review whether by this group or by some other group.

Ron Andruff: Thanks Mary. So Amr are you feeling comfortable with what's been described to you by Greg and Mary?

Amr Elsadr: Yes like I said I have no objection. I am feeling comfortable about it. But should this language and part of the resubmitted motions be adopted into the GNSO operating procedures it just becomes - it would be problematic if the

counselor tries to resubmit a motion and try to use the waiver deadline just in terms of the way the language is designed I guess.

But we can leave that too and discuss it later if the need arises. Thanks.

Ron Andruff: Thanks Amr and I think one important point to add is that this is - as we have been discussing this if I'm not mistaken please correct me Julie or Mary where I'm off base here.

But it seems to me that the whole premise of this was that we wanted to give the chair some ability to do - to have better tools in the toolbox so to speak. And this was one of those elements that just it provided for an ability to kind of wrap of some activities in lieu of the ten day motion, the ten day motion deadline not having been fulfilled.

So with that then unless anyone else has any other comments they'd like to add or thoughts I would look to staff to ask where do we go from here with this document?

I know we've been collecting a number of things for public comments and so forth and I'm just wondering where does this go from here Julie or Mary?

Greg Shatan: Ron this is Greg. And I'd just like to make one follow-up remark if I could.

Ron Andruff: Oh, I beg your pardon Greg. I thought that was an old hand. Please go right ahead. Greg.

Greg Shatan: I took it down and quickly put it back up again so it would be new.

But in any case, you know, in response to Amr I think that on the one in, you know, you could go either way on the whether a resubmitted motion should be eligible for the waiver or not.

And in the - in addition to the issue of just kind of expedience and not changing and going back into other rules and changing them again I think there is a sense that this waiver is, you know, intended for kind of, you know, late breaking news and for things that are where there's a - where things are quickly changing and coming to a head.

And I think that in the case of a resubmitted motion that's already been, you know, fully debated and voted on by the GNSO council it seems much less likely that there will then be the need for a late submission of the same motion after it's kind of already, you know, fully in front of everybody and kind of part of the business of the council.

So it's not one of those gee now we have to deal with this thing again quickly and it's only three days till the next meeting what the heck do we do sort of thing.

It's just seems like the two concepts aren't necessarily going to rub against each other.

Of course those may be famous last words and it may come up but I think there is somewhat of an argument they, you know, once a motion has kind of been fully vetted and debated and voted on that it's, you know, it should be able to - that the people putting it up again should be able to figure that out more than ten days before a following meeting. Thanks.

Ron Andruff: Thanks Greg. So now we turn back to staff with our previous request if we adopt this language as we appear to be today where we go from here?

Mary please go ahead.

Mary Wong: Thanks Ron and I know Julie is on the call as well so Julie if I miss anything please let us know.

I think there's a couple of things. We haven't done a formal consensus call for this. And what we did do before this meeting as you recall is to send it out again one last time with a two-week deadline for comments.

So just to be consistent with what and how we've done the others in the past we could simply start the formal consensus call for this language. And again as we all know it has to be unanimous.

Then sort of looking ahead we have the other issue on the table of e-voting. And I think you know, recalling that the full group agreed that we would try and bundle them all up for public comment.

So assuming we get the consensus call out and done for this we would like with the previous outstanding items hold onto it until we've completed the e-voting, you know, discussion consensus call and so forth and have that up for public comment.

At that point or shortly before that point I will briefly caucus again with our legal colleagues again just for that sort of check-in on safety check that we talked about in the past.

So that's how I see things going forward. And once the public comments are in depending on what they say then they would be sent back up to the GNSO council for their discussion and review.

Ron Andruff: Thanks Mary, excellent. So that being the case then let's move forward with the consensus call on this document.

And we've been missing our registries and registrars and so I would suggest that we also copy the chairs of those constituencies just to make sure that this doesn't - that we get this full consensus that we're looking for. So thank you for that.

Now we'll move on then to Item Number 3, the continuation of the discussion on electronic voting. I understand that members of the subcommittee met in the last period and that we've got a discussion document before us that's been circulated.

I'm not sure if everyone's had a chance to review it. But maybe I could turn back to Avri or Greg or whomever was actually on the most recent call to kind of walk us through the discussion here, the language. Thank you.

And if it wasn't Avri or Greg that was on that call where you had this subcommittee discussion I wonder who might be the one. Mary could you help me out on that one?

Mary Wong: Sure. And Avri was on that call. I don't know if she's able at this point to jump in. But essentially it's pretty much what I...

Avri Doria: I was able but I have nothing to say so you say it.

Mary Wong: Thanks Avri. And like I was going to say it's pretty much what I noted in the email that we did have a brief discussion and the rest of the sub team would and, you know, informed about that discussion we had on the call.

And this was really just to review whether or not we needed to make further changes following, you know, the discussion that Ron, you and Avri had with the GNSO council in London.

We know that at the SCI face-to-face this was on the table but we didn't complete the discussion.

And so the long and short of it is that we felt that the language as is could stay with a couple of small tweaks that you see here.

And there was a sense that, you know, the sub teams kind of kind of worked on this for quite a while and it's never, you know, been comprehensively discussed at the full SCI. So the sense was that it was time for that to happen.

Ron Andruff: Thanks Mary. And actually the one point I would like you to expand a little bit on is on Item Number 6 because you actually post a comment and there's some deleted text as well.

I wonder if you might on absentee ballots could you just speak to that a little bit about those two elements of the comment and the deleted part? I think that that - they may cancel each other out but I'm not sure.

Mary Wong: Sure. Yes and I'm trying to recall the deleted parts. I have to make the screen fairly large.

If I start with the comment again Avri and others please jump in if I mischaracterize anything or, you know, miss something out.

The language in six that you see is for language that's been there for a while.

One question that did come up in the last sub team call was whether we needed to make it more specific that in other words when we speak of electronic asynchronous or remote voting in this new section that we don't mean PDP related recommendations.

And the reason why that was suggested is because when one looks at the absentee ballot provisions a lot of times they revolve around and they are used for PDP related recommendation.

So we didn't change the language. It was just a comment there as to whether leaving the reference to absentee ballots so that anyone was interested could

then go to the specific provision absentee ballots and see the PDP stuff there or would it be better to change Section 6 here to make it more specific?

We didn't make a call one way or the other. That's the comment and that's one item that the SJ might want to take up to discuss.

On the deletion I believe that was deleted because following the discussion with the GNSO council, you know, one of the questions there was how and when this would be used? Is it in very exceptional circumstances or can it be used kind of as almost a customary practice?

And following the discussions at council it was felt that we didn't actually need that deleted language so that was taken out.

Ron Andruff: Thanks Mary. That's very helpful. And I think that in that discussion the - regarding whether this should be a tool used on an exceptional basis or whether it should be used as standard practice I think it also landed on the exceptional basis side if I understood that correctly.

How about - what was your take away on that Julie, other members of the committee perhaps, Mary? I actually speaking to you directly I beg your pardon. But what was your take away on that?

I see Avri's hand is up so maybe I'll defer to Avri and then I'll come back to staff. Avri?

Avri Doria: Yes. I got the impression from our conversation that we had a strict enough set of conditions that would naturally make it rare enough because the conversation has been completed there's a need to do it, the chair suggests doing it and no one complains.

We, you know, the notion of putting in something that says this is only done on exceptional basis then requires us to get down to defining what's exceptional.

Basically I think and this is what I believe came out of the conversation and more or less is that there was a sufficient barrier to doing it then it would become the common practice.

And so there was no need to say and by the way this shouldn't be common practice. Thanks.

Ron Andruff: Thanks very much Avri. That's how I understood it too. Amr please go ahead.

Amr Elsadr: This is Amr. I don't have my hand up Ron.

Ron Andruff: Oh I beg your pardon. I thought you did, my apologies.

Amr Elsadr: I'm sorry.

Ron Andruff: Greg go ahead. Greg please go ahead.

Greg Shatan: Thanks. This is with regard to Number 5 actually in the reference to regularly scheduled council meetings.

From time to time the council has scheduled meetings by - that are kind of special meeting of and, you know, such as, you know, one that was called after I think it was Durban because of the issue of not being able to submit a motion late.

I've taken a quick look through the operating procedures. There doesn't actually seem to be an operating procedure that allows or prohibits that. So I guess that's just an issue of discretion of the chair which is fine.

But the issue here is whether if one of those meetings is - if that kind of meeting is not a regularly scheduled council meeting does that mean that there can't be an electronic vote on anything put up in one of those meetings and is that what we intend and are we okay with that?

Ron Andruff: Thanks Greg. Avri please go ahead.

Avri Doria: Yes. I don't see it saying that at all. I see it's saying that, you know, motions have to be treated the same way as they are in regularly scheduled meetings which means the rules are written elsewhere for motions. So...

Greg Shatan: It's the second sentence that I'm looking at.

Avri Doria: Oh God. Yes.

Greg Shatan: So that's...

((Crosstalk))

Avri Doria: So I guess somebody would be - if someone wanted to be picky someone could say yes this was not a regularly scheduled meeting so no we can't vote electronically afterwards and then that's okay.

Greg Shatan: Yes I'm not actually objecting or supporting. I'm just I wanted to point to that as an issue that could be brought up and if there is an intent to distinguish between regularly scheduled council meetings and other council meetings.

Ron Andruff: Thanks Greg, thanks Avri. Mary I see your hand's up and I was going to ask I thought we had somewhere and I may be thinking of another document. We had both noted at the outset at the chair's discretion. But Mary please go ahead. Perhaps you can help me with that.

Mary Wong: Okay yes thanks Ron and I don't know if you're referring to that is the chair's discretion in this particular document, in this section about whether or not to even permit the electronic voting in the first place.

So maybe that's also something else that I missed but that was my first thought when you mentioned that.

On Greg's point on the second sentence in five I see what you're saying because that seems more limiting.

And as Avri says, you know, generally speaking chances are that there will - the motion would have been submitted and then there is no time to vote on it.

So one possibility to leave it more flexible is simply to take out the words regularly scheduled in the second sentence because I think the idea here as Avri says is that this is not a special way to slip into motion.

If you want to vote on a motion this only concern is whether you can vote electronically or not but since it's a motion it's got to meet the requirements of everything else.

So maybe just having this question of the scheduling of the meeting is almost a distraction.

Ron Andruff: Greg would you like to respond to that or Avri? Go ahead?

Avri Doria: I guess the only thing I'd point out is part of the reason why this is being put in there is so that we don't have to call a special meeting for one notion.

And thought-wise it almost starts to get confusing that here we've got to allow us to not call a special meeting. Okay we had a special meeting but we still couldn't resolve the issue we had the special meeting for. Therefore what do we do?

And at that point I just - it just starts to get confusing and we start to get rule bound, you know, and we start to have conditions upon conditions.

So I would recommend that we either leave it alone or we take out the for a regularly scheduled, you know, what we take out for a regularly scheduled meeting take out regularly and just say included for inclusion on the agenda for a scheduled GNSO meeting and drop the word regularly. And then we've taken out the block. So, you know, I - that makes cleaner and easier. Thanks.

Ron Andruff: Thanks Avri. That's - this is Ron. That works for me too. And in fact I wanted I put my hand up to be in the queue to come back to the statement I made earlier because Number 2 above says voting outside a meeting which should normally be electronic should only occur when all of the following conditions are met.

And it says in the first two bullets the chair determines the chair determines after the discussion.

So bottom line is that this is a tool at the chair's discretion. And I think if we remove that word regularly then this document works for me as well. Greg please go ahead.

Greg Shatan: I agree. I would probably also take out the word scheduled since I don't think there are spontaneous GNSO council meetings but certainly would take out regularly.

Ron Andruff: And I see Amr's hand is up to support - in support of that as well.

So then let's move forward with that. Let's remove the word regularly from the second sentence. And I think scheduled then also becomes redundant I agree.

So - and so that sentence should now be for the avoidance of doubt voting on motions outside meetings is permitted only in cases where a motion has been submitted for inclusion on the agenda for a GNSO council meeting in accordance with these operating procedures.

Any thoughts against that? Greg your hand's still up. Mary go ahead and then Greg if you have something to add please go ahead. Mary.

Mary Wong: Yes and I'm going to apologize for dragging this out. I did put a comment or a question or a suggestion in the chat to make it even shorter so that basically the second sentence simply just says, you know, voting's permitted only where a motion has been submitted in accordance with the operating procedures.

Because then everything would revert to the point of section number two as you mentioned Ron.

Ron Andruff: I see that yes. And actually and I see Avri and Greg and others are supporting that so that makes sense. (Lori) please go ahead. You have the floor.

(Lori): Just to Mary's point you're using regularly scheduled throughout the documents so I don't think taking it out at the bottom would make particular sense unless you're taking it out everywhere.

Because then it calls to question if they're regularly scheduled versus non-regularly scheduled?

Just from a drafting perspective it's in Bullet 3, 2 Bullet 3. And then I think I might have seen it somewhere else as well.

Where it says no counselor objects to being taken outside a regularly scheduled meeting. I feel like if you take it out where the blue is that you probably should take it out in Bullet 3 as well.

Ron Andruff: Thanks (Lori). In fact that's an interesting point you're bringing up. But what we're trying to - I think please others correct me where I'm wrong here. On number two what we were trying to do is actually establish what the conditions, the three conditions were for the - for this activity.

So for that reason I do see the merit in leaving the regularly scheduled in there. Otherwise if we drop regularly scheduled just outside of a council meeting not sure if that works or not.

I see queue Greg and I see Mary. And (Lori) if you'd like to respond you're certainly welcome. So let's start with Greg and then come to Mary.

Greg Shatan: Yes I would not take out regularly scheduled elsewhere. I think that it is purposeful where it is in the third bullet point of one and also in the third bullet point of two.

In essence this is kind of the alternative to a special council meeting or what's called in the second bullet point of two an extra meeting.

And so I think that the idea is that this play off of our regularly scheduled council meeting as an alternative right.

Ron Andruff: Thank you very much. It looks like Mary was going in the same direction so I'll look to Cintra now please.

Cintra Sooknanan: Hi. Thanks, Ron. My question is separate to the issue that was raised previously. It's about proxy. Was it considered that proxy would be applicable to electronic voting or not? Because I don't see any mention of it within the text?

Ron Andruff: Thanks Cintra. I understood proxy to be a standalone item from this electronic voting. But I don't have enough of a recall do understand where that goes.

But before we go there let's just put that on the side for a second because we're still discussing the regularly scheduled.

And (Lori) you're making some notes in the comments in the chat. Perhaps you could bring to the - bring them to the table. So (Lori) please go ahead.

(Lori): Oh yes I just thought well if you're going to start making differentiating between the meanings in this document if it's not differentiated and other documents related to the GNSO then perhaps you need to definition here so that when it is included it's clear about what you mean versus when it's excluded.

And I just look at that as more of a good drafting practice than anything else.

Ron Andruff: Thanks (Lori). I appreciate that. I think that we do actually those kind of definitions are found in the operating procedures just as a matter of course. But Mary, perhaps you can correct me if I'm wrong there.

Mary Wong: Well see I'm going to advocate both ways here. So (Lori) you're right. There is no definition for the phrase regularly scheduled at the moment.

So I think this discussion really does illustrate the difference between looking at this as, you know, with relatively fresh eyes and folks who have been living with this for quite a while.

That said the words regularly scheduled are used elsewhere in the operating procedures. And so there's a sort of general understanding that they mean

the practice of the council which is it schedules its meeting pretty much a year in advance.

They might change the dates in the course of the year. But at the end of every annual meeting I believe that's when it is, you know, the dates are - all the meetings upcoming for the next year are at least initially set.

So that's the understanding. I'd don't know how to make it better. The point I guess is that if we want to include a definition, it will impact other pieces of the operating procedures.

And Ron I did have a follow-up for Cintra if you'd like me to address that now our hold on to it till later.

Ron Andruff: Thanks Mary. Let me ask Greg so you want to speak to this issue of regularly scheduled or do you have a new topic?

Greg Shatan: No. This is on the continuing topic of regularly scheduled.

Ron Andruff: Please. Then Mary...

Greg Shatan: Yes.

Ron Andruff: ...if you wouldn't mind I'll let Greg go forward please.

Greg Shatan: I'm am beginning to come around to (Lori)'s concern as it's heightened when I looked at the GNSO operating procedures and regularly scheduled shows up three times in the operating procedures.

But if we are - end up creating a distinction between regularly scheduled council meetings and other meetings it may actually wreak havoc with the GNSO operating procedures.

Specifically the rule on absences, says GNSO counselors are expected to attend all regularly scheduled council meetings.

I think really GNSO councilors are expected to attend all council meetings. So, if we consider extra meetings to be not regularly scheduled there - then become kind of optional for GNSO counselors I don't think that's the intention and that would, you know, not be good for the council.

The other two places it shows up is our in the 3.8.2 leaves of absence where talks about if a GNSO so councilmember anticipates being unable to attend two or more regularly scheduled GNSO council meetings consecutively and also when a member fails to attend two regularly scheduled GNSO council meetings without prior notification.

I think the intention is probably there to be dealing with whatever council meetings the GNSO so council has even though the other ones are, you know, few and far between.

Nonetheless I think it may - I don't think we want to accidentally, you know, create an issue where only - where regularly scheduled council meetings is something less than all council meetings because then that, you know, causes issues with the sections I just referenced. Thank you.

Ron Andruff: Thanks Greg. Avri I see a big red X. I think that there's a point behind that. Could you take the floor please?

Avri Doria: Yes. I think in those places I think it's okay to have a distinction between regularly scheduled and not.

I think the places where it's been used is reasonable because what we're talking about is that one has to commit to making the monthly meetings or every three weeks, the regularly scheduled ones.

A meeting can be called at a time when it's impossible for one to make it and it's not scheduled in their life. So to change the attendance requirements not that I plan to miss any council meetings, but to change the, you know, the attendance records for actually disciplinary type behavior from regularly scheduled to any meeting that happens to get scheduled I think just, you know, makes things more difficult for people.

I mean it can be done and we can go through and we can remove regularly scheduled all the way through the document. I don't recommend that we do that. I hope that we don't start to do that.

In terms of this case I think that the differentiation and perhaps we have to look to see if it means it is where we're trying to say that the rules that apply are those for regularly scheduled.

There is the notion of calling an emergency meeting and those do have slightly different rules. And so when we're saying it's the same amount of time, et cetera I think that can say I, you know, we can remove it all the regularly scheduled from this motion, but I'd hate to see us go touching the ones that have to do with attendance. Thank you.

Ron Andruff: Thanks Avri. I think this kind of the thing that Greg has highlighted - and (Lori) thank you for bringing this to the table. This is these the exact work of the STI to really think these things through in good detail. So thank you for that contribution.

I think what we might want to do is we have on our agenda at some point once the GNSO review has gone, has been completed to actually look at the operating procedures -- and I would expect that's probably post the review of the GNSO itself -- but at that point if we could flag that with staff that we would actually put in the definition for regularly scheduled meeting what it actually means.

Because it does appear that that's want to be spaces that needs to be filled. And that would certainly solve all the problems we're talking about right now.

But for this particular document oh and Avri I see your hand's come up. And Mary I do have you in the queue to respond to Cintra so Avri please go ahead. I think you're stuck on mute Avri.

Avri Doria: It's double muted sorry. Basically this first use of the next regularly scheduled meeting is, you know, we're talking about a scheduling issue and that therefore something needs to happen before the next regularly scheduled meeting. And you don't want to schedule a special meeting.

So obviously use of scheduled meeting is reasonable and necessary in this touch.

The same thing with the next one, the regular meeting schedule, you know, would make it difficult to resolve the eating - meeting without scheduling an extra meeting.

So in other words, the uses that we've got, you know, that no councilor objects to being taken outside the regularly scheduled well that's the point here. We have the regularly scheduled meetings and oops we have something we need to do.

Do we call a special meeting or do, you know, since we can't get it done - since the next scheduled meeting is not an appropriate time to do it, it's too far away or something.

Therefore were doing it at - we don't want to do it in an extra. So those uses of the scheduled meeting make sense. Whereas the one that we're trying to remove in five is basically, you know, where the motion has been submitted for inclusion on the agenda.

So one could imagine that a motion was submitted for an extra meeting. And we talked and we talked and we talked kind of like an SCI meeting and we talked and we talked and we never closed it.

And so then the question is will can we hold this till the next scheduled meeting, regularly scheduled meeting or do we got to call another extra meeting?

So in that case it does make sense to drop regularly scheduled.

So I think the usage as opposed to not being clearer or being bad practice in terms of the consistency of writing is actually intentional. And those regularly scheduled meetings have a meaning in the context of this rule. Thanks.

Ron Andruff: Thanks Avri. That's a very helpful contribution. Mary, I see you're typing some thoughts into the chat. Perhaps you can bring them to the table and I'll come to Greg.

Mary Wong: Sure. And first of all I want to just follow-up on Avri's point and was trying to recall all the different drafting sessions and things that we had.

And I think that's why that the intention behind including the language in these cases that's exactly as she described.

The only issue being that particular usage in the second sentence of five and taking it out as we seem to be doing actually might lead to more flexibility for the council.

Always bearing in mind that to do an e-vote it has to go through all the considerations and fulfill all the criteria that's earlier on in this particular section.

So the - I guess what I'm trying to say is not to confuse the scheduling as Avri has mentioned with the taking of the vote. So, you could have a special meeting and that's why I'm saying in the chat because of timeliness.

But for whatever good reason having gone through all the, you know, different steps here, the vote is not taken at a special meeting but it's taking electronically may be a week after that special meeting but before the next month's meeting.

And maybe that's something that we want to give the council the flexibility to do always bearing in mind that once you to an e-vote it's got to fulfill all the other criteria here.

Ron Andruff: Thanks Mary. The flexibility element is absolutely critical here, particularly in this issue. They've asked us to address that. This is what they're looking for is flexibility. And I think that's where we're kind of arriving to. Greg. Please go ahead.

Greg Shatan: Thanks. It's Greg Shatan. I agree with what Avri said. And my earlier remark was not intended to suggest that we take out regularly scheduled elsewhere in the operating procedures, but rather to point out that it's used to there and that we need it to at least have a common understanding whether or not we put a definition...

Ron Andruff: Greg?

Greg Shatan: Yes?

Ron Andruff: You're breaking up on us. Maybe you could start that sentence again. We lost you.

Greg Shatan: Sure, saying that what was - what's important is that we have a common understanding of what regularly scheduled means. And I think that, you know,

we've come to the conclusion, you know, during the course of this call that regularly scheduled means a meeting that's been scheduled, you know, as part of the yearly cycle of meetings and is not an extra meeting, which is, you know, distinct.

And I agree that we need the flex. So we should give the council the flexibility to have a e-vote after an extra meeting so we should take out regularly scheduled in the second sentence.

I would also note that I don't see in the rules any distinction between requirements or motions for extra meetings and for regularly scheduled council meetings.

So in that case it may make sense to take out regularly scheduled in the first sentence of 5 to or 5 as well. Thank you.

Ron Andruff: Thanks Greg. So if I understand you correctly, where you (unintelligible).

Greg Shatan: And now Ron you're breaking up.

Ron Andruff: (Unintelligible). I was saying that on Number 5 any motions - I'm sorry. Number five, both first and second sentences you're suggesting that we remove regularly scheduled. Is that correct?

Greg Shatan: That's correct.

Ron Andruff: And then the rest of the documents we leave - we would leave it in?

Greg Shatan: Yes, but that's also correct.

Ron Andruff: Thank you. (Lori) you have any comments or thoughts with regard to how we arrived at? Are you comfortable with that?

(Lori): I am on mute. Yes, I mean I'm just thinking it through like as you say I'm new eyes to this process. And obviously if common sense dictates that we should leave it out in some and include in other I'm not going to argue that.

I just wonder like outside this meeting if is the context well understood? I mean we're going into what I consider very typical drafting issues where we may have an understanding.

But would it then that understanding translates to the GNSO as so whole particularly with successions and not just the current GNSO?

Ron Andruff: Thank you (Lori), well taken.

So is there any more discussion then that people would like to bring to the topic of regularly scheduled? And if not, then we can move on to Cintra had asked that question regarding proxy voting and (unintelligible).

But before we go to that Amr and Avri please?

Amr Elsadr: Thanks Ron. This is Amr. And I was just what (unintelligible) the chat. I think I'm missing the point on why we need to take regularly scheduled meeting out of the first sentence, the second and the fifth.

Even the meaning of regularly scheduled meeting, council meeting seems relevant in those sentences. And I think it would be counterproductive that (unintelligible).

And I think it was Greg who said earlier that (unintelligible). And if someone could just explain again why it is they need to think about the - I don't get it (unintelligible).

Ron Andruff: Thanks Amr. I'm just not sure if that's my line or everyone's having a (unintelligible) hearing right now. (Rick) is that you that (unintelligible) breaking up?

Is everyone hearing me know? So...

Avri Doria: In a broken up manner.

Ron Andruff: (Unintelligible) manner. So it sounds like we've got a problem with our SEC conference call.

And now the sound is gone. And then once...

Avri Doria: And now we hear you.

Ron Andruff: Okay. This is problematic.

Avri Doria: How is it now? I have a feeling it might have been when I turned off my mute and my air-conditioning was blowing into the microphone.

Ron Andruff: I'm not sure Avri. I'm not hearing anything - any noise now and I'm coming (unintelligible)...

((Crosstalk))

Avri Doria: I turned off my air conditioner.

Ron Andruff: Well God bless you for sacrificing yourself for us.

All right then so Amr was asking the question why are we doing this? And I think that the - if we come back to the beginning of this (Lori) was saying for good drafting purposes we should keep language consistent throughout the document.

Throughout the conversation we've referred back to the fact that we have operating procedures and there - there's a reference to that in the operating procedures.

I had suggested that as we go through this GNSO review process we will actually move to getting a definition installed in there so that would make it much more clear.

But the question now is from Amr's point of view, why are we removing these regularly scheduled from the sentences?

And my understanding was we are only removing it from Number 5.

And Greg had suggested we move it from Number 5 both in the first and the second sentence.

For the most part we've always been discussing in this call whether we move it from the second sentence. So, thoughts, comments, please bring them forward.

(Lamar): Run this is (Lamar). Sorry to cut in. And that's fine then. I'm sorry I misunderstood completely.

I thought you meant to remove - when you said first and second sentence I thought you were referring to Number 1 Bullet 3 and Number 2, I think was Bullet 3 as well as Bullet 2. So I'm sorry. I was confused.

Ron Andruff: No I beg your pardon for not being more clear. But I'm speaking specifically to Number 5 and (Lori)'s also noted that in the chat.

So I think if we're all good with that then we'll remove regularly scheduled in the two instances on point Number 5 alone.

And Mary I'm coming back to you to respond to Cintra's question with respond to proxy please.

Cintra Sooknanan: Right. And it's probably a good lead-in. Ron I think Avri had her hand up. It might be on the previous point.

((Crosstalk))

Avri Doria: No. I put it up for this point. I put in for this point.

Cintra Sooknanan: Oh, okay. So...

Ron Andruff: First or follow Mary Avri.

Avri Doria: I'm happy to follow Mary.

Ron Andruff: Thank you very much.

Mary Wong: Thanks.

Ron Andruff: Mary...

((Crosstalk))

Mary Wong: I'm sorry. Yes, just briefly the - I think the question Cintra you had raised was about proxy voting.

And the way it works and the way it's envisioned in the operating procedures to my understanding is that that really only applies when there is a meeting.

So obviously when you're voting during a meeting whereas for this particular language this document would apply also to a situation where you have just e-voting where there isn't a meeting.

So my expectation would be that, you know, to the extent they're talking about e-voting that would be outside a meeting. And so you really wouldn't do proxies because that's not actually something that's done.

Ron Andruff: Thanks (unintelligible). Mary. Cintra (unintelligible) respond to or (unintelligible), whichever (unintelligible). Cintra?

Mary Wong: Hello?

Ron Andruff: Oh there you are.

Cintra Sooknanan: I don't mind going first. Maybe Avri could clarify for me.

But this is a question I have. When we have the results of electronic voting when are those results being taken as past? Is it the meeting before the electronic voting or after that the results are consumed?

So maybe Avri can clarify this for me. Thank you.

Avri Doria: Okay I think I know the answer to that one. And I think it is confirmed here just as it is in a regular meeting after the vote has ended. It is noted as per minutes and at that particular time when the vote is ended and the secretariat does their tie up counting the votes.

And remember, these votes are open. We see them because there's not a secret ballot on these because these are never secret ballots.

So I would tend to think that it's not at the meeting after these things are confirmed after the vote has completed in the secretariat puts out their announcement.

Mary I don't know if I got that right but your hand didn't shoot up immediately.

The other point I was going to make and I think it's sort of disagrees with the expectations Mary indicated on proxy.

I think proxy and things like temporary replacements which is all part of the same rules set are essentially orthogonal to this that a stakeholder groups/constituency official sends a note from this period to this period so and so holds their proxy or from this period to this period so and so is a temporary replacement.

And I think life is simplest if we leave them orthogonal. And if you happen to be in a proxy - you could be in a proxy situation because your, you know, you're rafting down the river for the next two weeks and you're not reachable for an electronic vote either.

So I think we should leave those rules as separate and equal and that if you happen to be in a proxy situation at the time the vote happens, you're a proxy situation. If you're not, then you're not.

Yes, it would seem strange for someone to sign a proxy for that. But indeed, you know, I could hear that there was a vote, I didn't have an objection, you know, et cetera. But I was about to go white-water rafting. I had no intention of being able to respond to my mail during that week.

So I would leave those mechanisms as co-existing and separate. Thanks.

Ron Andruff: Thanks, apology for the loud sirens. Please go ahead Mary.

Mary Wong: Thanks Ron. And I'm not disagreeing with Avri. I think I probably overstated my point.

I think I was trying to make the distinction between holding a proxy vote for someone and being the proxy at a meeting if that makes sense.

So I believe the way the form is designed, you know, you can state as Avri has mentioned, the officer of that constituency or stakeholder group would say so and so stepping in for so-and-so and would, you know, cast their votes in their absence.

And I should point out also that there are provisions both for proxies and for temporary alternates, both of which have been used by the council.

So I think as long as we understand that, you know, when Cintra brings this up that this does not preclude there being a proxy vote in other words. And I probably should've made that clearer.

But that does - that is based on the premise that there would have been that form sent in.

And I think my point was that customarily that form is used to state so on and so can't come to a meeting and therefore this other so and so is going to hold the first person who votes.

So as long as those things aren't changed by anything we're doing today I think we're all good.

Ron Andruff: Thanks Mary. Are you good with that Cintra? Does that clarify it for you?

Cintra Sooknanan: Yes, this is fine. Thank you.

Ron Andruff: Great, thank you Cintra. Okay so kind back then to the what we're taking out in terms of this phrase regularly scheduled (Lori) has type a couple of things into the chat.

And basically, she's saying the first - that in the first instance distinguishes between outside quotation mark and regularly scheduled meetings and should state then for clarity.

The second instance is what should we remove for flexibility? And that is the second - that's the second sentence that begins on number five for the avoidance of doubt.

So I can go either way on that. I do - I agree with the direction (Lori)'s going. Greg please go ahead. We're at the top of the hour but I've got a couple minutes just to wrap back up.

Greg Shatan: Yes the reason I suggested taking it out of the persons is that there are no requirements that are limited to motions voted on during regularly scheduled council meetings.

There are only rules for minutes that are voted on during council meetings and therefore to suggest that there is a rule that relates solely to motions put up during regularly scheduled council meetings would be confusing and create an ambiguity.

So that's why I think it should just refer to the requirements for motions voted upon during council meeting.

Ron Andruff: (Lori) your thoughts?

(Lori): I think I was going to write I think I see what he's saying. So in other words to understand it is any vote can be taken at any meeting. The same requirements are going to follow not matter what. Is that right?

Greg Shatan: That's right.

(Lori): All right if that's the case then I'm fine with it.

Ron Andruff: All right then. So we're back Julie. Your fingers are getting - they're tired of typing. So we're back to taking it out in both instances in Number 5 then. I think we're all in agreement on that.

At this point we've really cover the two critical development meetings and we are the top the hour. So I don't want to hold anybody longer unless there is anything else that needs to be discussed under any other business which we do not have but next step activities. Any thoughts, anything that people would like to bring to the table right now, now is the time.

All right then no comments means that we can wrap up this call today. With regard to next steps we've been meeting for two weeks.

And so the staff will send around the next call date. I don't have a calendar in front of me at this point, unfortunately. If someone does they might call out the date in two weeks. But I imagine it's going to be in early August.

Terri Agnew: The 5th of August.

Ron Andruff: Fifth of August. Thank you very much Terri. Great so that means Avri you've got lots of time to go off and do white-water rafting between now and then report back to us. I can tell you it's a thrilling adventure.

And considering you're up (unintelligible) if you are (unintelligible) in your neck of the woods, I believe.

Avri Doria: Well not really in my neck of the woods, but yes.

Ron Andruff: All right. Thanks, everyone. Thanks for the very fruitful conversation and really getting through these two documents.

With regard to this one, then I would suggest the staff sends it out, this document also out for consensus call unless anyone has any objections against that. Amr's supporting that. I'm hearing no objections against it.

So with that, then I will say that these two items will go out to consensus call. Thank you everyone again for your great (unintelligible) on this discussion today and look forward to speaking with you again in a couple of weeks. Thanks. Bye for now.

Avri Doria: Bye all.

Man: Thanks everybody. Bye-bye.

Woman: Thank you.

Woman: Thanks everybody.

Ron Andruff: Thanks everyone.

((Crosstalk))

Coordinator: Thank you for (unintelligible) conference and for participating. You may disconnect at this time.

END