

**PDPFeb-06 Task Force Meeting  
in Marina del Rey**

**TRANSCRIPTION**

**February 24 , 2007,**

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24 February GNSO RN Wg meeting Courtyard by Marriott, Los Angeles - Marina del Rey

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Coordinator: Thank you for your patience. Today's conference is being recorded. If you have any objections, you may disconnect at this time.

Avri Doria: Okay, so nobody is leaving the room. Okay, so (already 12:06) meeting, it is scheduled for today.

Yes, I know there are many people hoping we will get through it quickly and so let us start.

The first thing I wanted to do is just go around and make sure that we -  
- since we've been taking attendance on all of the taskforce meetings let us have everybody go around and do the standard lam so and so and this is my role.

John Jeffrey: I'm John Jeffrey, General Counsel from ICANN.

((Crosstalk))

Woman: Excuse me, did Mr. Dixon joined.

Bruce Tonkin: Bruce Tonkin, observer

Phillip Sheppard: Phillip Sheppard, BC Observer.

Marilyn Cade: Marilyn Cade, BC Member of the Taskforce.

Antonio Harris: Tony Harris for the IPCC Constituency.

Marilyn Cade: Ms. Williams I cannot control the (unintelligible).

David Maher: David Maher, Registry Constituency.

Avri Doria : I'm Victoria, NomCom Appointee and Acting Chair.

Alan Greenberg: Alan Greenberg, ALAC Liaison, and I guess the guess observer on this particular evening.

Sophia : Lucia Bekele, NomCom.

Man: (Unintelligible), Observer.

Jon Nevett: Jon Nevett, Registrar constituency.

(Denise Michel): (Denise Michel), Vice-President, Policy ICANN.

Werner Staub from Core, Observing.

Steve Metalitz: Steve Metalitz , observer from the IPC.

Man: (Unintelligible) IPC member.

Woman: And on the phone we have - (somebody) we lost the name (unintelligible) (Alis --) (unintelligible).

Alistair Dixon: Alistair Dixon, BC.

Woman: Okay.

(Greg Ruth): (Greg Ruth) ISCCP.

Woman: Thank you.

(Kristina Rosette): (Kristina Rosette), IPC.

Woman: Thank you.

Jeff Newman: Jeff Newman, Registry Constituency.

Avri Doria: Anyone else? Okay thanks.

Okay, the next thing is the review of the agenda. I have it up on the board. Unfortunately it can not be seen. I'll read through it.

The first thing we just did, which was the roll call, including, with all participants. Second we are doing now, review of the agenda and agree under what programs for the meeting for the next 2 days. Any updated statements of interest I'll ask for. Then, a discussion of the preliminary taskforce recorder. Really it is the draft final passport report that was sent out.

And basically, the way I wanted to do that was first, gather all the issues that the people already know of just so we have a list in front of us of what issues we're going to go through.

Then, to have Liz basically walk through the documents with us addressing the issues as we go along and any other issues that pop up at that time discussing.

One caveat to all this, is some people are leaving early. So if they've got specific issues that need to be discussed, we should give them (unintelligible). Who is leaving before the end of today?  
Some.

((Crosstalk))

Woman: Okay, so if you have any issues then we will try to sort of front load them this morning so that you have a chance. Gather all the issues as much as we can. Liz will walk through the documents with us and we will discuss it as we go along.

Once we reach the point where the term of reference file lock is in the document, we will discuss that. And discuss the, not quite the registry report, but the email and thank you for that that we received from Jeff with some of the initial information regarding the collection and use of data.

Then, basically, we will go in to the followup of agreement. So, basically go through the documents, get through all the issues, make sure that we know what needs to change in the documents between now and its getting released.

Then we have an agreement on public comment period and production of the final report and discuss schedule of meetings, conference calls, Saturday meeting in Lisbon, and then any other business.

So first, does anyone have any other business that they want to add now, Marilyn?

Marilyn Cade: I have a question. I haven't seen the reports provided by the registries and in any case it would be helpful.

Woman: It was an email.

Marilyn Cade: I understand, at any case it would be helpful to have it.

Woman: We tried to have it printed on paper, but the printer was gone and the hotel could not handle it.

Marilyn Cade: We did not ask? Is it that long?

((Crosstalk))

Woman: Right, and I can put it up ...I will put it up ... when we get to discussion, I will put up, but I do not think we can print it. Victoria tried to get it printed this morning and was unable to. So, apologies for that.

Any other business that needs to be added? Any change to the agenda recommended? Okay. I'm going to change this one thing here, it is not preliminary test, more of report. It is the draft final.

Are there any updated statements of interests? Does any wants to make any point? Anyone who has new interests we should all know about? Okay, great. Moving on.

Discussion of the draft final Taskforce Report. Gathering all issues. Now, I started, because I knew I had this on the agenda. (unintelligible). I am not going to review the time of (unintelligible).

((Crosstalk))

(Kristina): No, we actually ... when I went through that, is that okay that I basically put that within the ...?

Woman: Right. Okay, so that was the change that we will put up there, and basically when we get to the blank spot for Reference 5 we do it in line. Is that okay? Thank you. Okay, so I started collecting sort of my issues and I want to add other people to this list, but I knew I was going to create such a list. The first thing that was the 2,3. Did everybody got a copy of this?

(Lucia): Yeah.

(Denise): I think (unintelligible) report and I will put all of these in my documents.

Avri Doria: Actually, what I wanted to do as I've mentioned, is go around the table and made sure that if anybody had an issue, that it was flagged up front Not that we would discuss them, but that it was flagged up front so that as you walk through, you would already know what issues were and then - and also this would sort of give us an idea of what we are facing over the next few days.

We may find a short list, we may find a long list, we don't know. So I guess at this point, just mention the issue and then we will discuss them later. Basically in 2-3 which is page (unintelligible).

(Kristina): (Unintelligible) would you start with the 2 and 1 because others may have (unintelligible).

((Crosstalk))

Woman: No, what I was thinking... and perhaps what I was thinking is not going to work right for people. My assumption was that people had already read the documents and then in slight places to where they had issues.

And basically we could add them but, perhaps you're right marching through it and said we would not discuss them now. We will just list them.

(Kristina): And that way you get a chronological.

Woman: Okay, I'd like to start with the introduction. Okay, does anybody have an issue in 1?

Marilyn Cade: I have some comments.

(Denise): Can you just give me one second? I just want to get another version of document draft, because I want to writing on these comments straight into it.

((Crosstalk))

(Kristina): Just give me one second just until I get myself ... I am not quite set up properly.

(Lucia): I think it is clarified that I made my comments on the version I printed out from the (unintelligible), and I am assuming that the paper copy that I now have is really consistent with that.

Woman: I believe it is the same.

(Lucia): Okay.

Moderator Sorry, Marilyn, just give me one second.

(Denise): We should be going along also, this is because of the draft document, I actually want you to propose or post it. My objective is to get myself in to it to a point by the end of the weekend where we can start a public comment for it.

Public comment through forum that would run for 20 days, and that we would then, in the public comment, the public comments would be included in the final draft and then it will be sent to the council.

(Philip): Let me... If I may add a comment on that addressed to the chair. (unintelligible) want to sign this back after a given time. (unintelligible).

Woman: I would actually prefer not to come back at a separate time with substitute test. I would prefer to follow up process, but now we list the issue, people can be thinking about them, then we go to the process.



Then, if the place needs substitute text, we do it. That is why we are here for 2 days to try and finish it, and if we can not resolve all the issues here, then we will have to come back later, but that means we won't be able to go out for the public comment.

(Philip): Sorry, I was thinking of coming back by tomorrow (unintelligible).

Woman: Oh, okay certainly that works. Okay. So are we ready to go through with the listing issues in the draft on page 61? I guess with page, ((Crosstalk)) page 4.

Marilyn Cade: Sorry but I am about ready. Liz, what can I do ...

Liz: I need a bit of clarification, I did not understand what the random numbers were that appears from time to time in square brackets and highlighted.

Are those references to footnotes? Like in 1.2 this is sort of (unintelligible)

((Crosstalk))

Marilyn Cade: In 1.5, 1.6, 1.7, and 1.8, I want to flag that we need to include factual representations. In 1 or 2 places that I see needs repetition of this point in several places.

If 1.5 to 1.8 stay as they are, then I would like to propose a 1.9, 2.0, and 2.1, which describes the receptions and the opinions of the constituency we will be nominating.

Woman: I will be prepared to offer text shortly after lunch.

(Denise): Marilyn, you would mind just saying that code again, you said 1.5 to 1.8.

Marilyn Cade: Basically 1.5 to 1.8, there is repetition of the points in 1.9, 2.0, and 2.1.

(Denise): Is there any way to collapse them all in to groups?

Woman: I wanted to, as we speak.

(Kristina): Can I just stop with the issues then the resolution and how we go about with it is the other issue. So, if we can move on to the next issue.

Marilyn Cade: I want to correct that though, the repetition of these points here and numerous other places in the reports, I would prefer for us to also expand in 1.1 the representation of the points of view of the other constituency.

Man: (Unintelligible) committee.

(Jeff): Marilyn, this is Jeff, sorry. If you guys object to the process then I would agree. This is not a summary of our comments; this is just objections to the process. If you want to object to the process, then I would agree that you should have your points in there.

Woman: Okay, well let us get the substance of discussion and the issue later.

Marilyn Cade: At this point, I would like to, just to point this.

Moderator: Okay, so any other points on 1? Anyone who also have a point in 1 that they want to put in the list?

(Kristina): I just have one other question for you, at some place in our report, we used to document that we agreed, and the council accepted the fact that the (BP)(unintelligible) 6 report is on a modified timeline.

That is just a courtesy for folks to ... because we favor following the (BC), but we need to add a sentence that says, we worked on a modified timeline that was supported by the council. (unintelligible) And I say that because I don't want to find us in a situation where people ...

Woman: Okay, I got the issues. I just want to record issues now and everybody can then think about what they think about issues as we come back to them. Okay, so is that it for 1? Does anybody have any comments on the next page 2.1, 2.2 or 2.3?

(Denise): Ms. (unintelligible) I am sorry I am (unintelligible) as we are going along, would you mind just going a little slower.

((Crosstalk))

Woman: I mean, I would not mind at all.

((Crosstalk))

Marilyn Cade: I am trying to abbreviate on things here.

Woman: Okay, now I had one on 2.3. So does anyone have one on 2.1 ...

(Lucia): 2.2 is an illustration of the repetition between 1.5, 1.8, and 2.2.

I do not have a problem with this thing here, but this is actually about recommendation.

Marilyn Cade: Yeah, I am not sure that it belongs here under the heading "Recommendation," it is just that the registrar constituency has to find a place to put their objections, but I am not going to...

((Crosstalk)).

Woman: Okay, yeah, right. At the moment we have recorded the issue. Okay, I have an issue with 2.3, that actually shows up on the next page... and that the chart is based on the constituency voting and is not necessarily affected by attendance table with one point.

And also it is difficult to see what it is referencing. Where are the specific recommendations that the level of support is indicating? And then the next sentence I will leave out because that was my notion of a solution.

(Jeff): I have a question on the chart 2 when given a chance.

Woman: Sorry. Jeff, hold on a second.

(Denise): In the first part of your dot point..., sorry Jeff (unintelligible) we are reading off the documents here.

((Crosstalk))

(Denise): We talked about this morning. We want to remove the chart as a tool, well, we will removed it and then we put an executive summary with recommendation 1, 2, 3, 4, blah, blah, blah.

Woman: Yeah, we did discuss that. Right, yeah I mean that is fine.

Marilyn Cade: That is partly one possible solution.

(Denise): This document makes it easy to read it like that.

Marilyn Cade: Okay. Jeff, you have a point.

(Jeff): I'm not...I guess to get rid of the chart. I'm not sure.

Woman: When are you getting rid of it, it would be moving it?.

(Jeff): Okay. (Unintelligible) and with (unintelligible) may I make this comments on coming in 1A2 you have a question mark for Registry constituency. Instead of a yes or no or abstain, and I am trying to figure out why it is a question marked and ...

(Denise): Just hang on a second. Just wait until we get to the next page until I can see what you are doing. And I did use to handle that. By the way, I did send out clear reminder notes that in the chart, we sent to people are asking for confirmation, as it should, there was no objection to it.

Now, if you want to change it now that is absolutely fine, but I did send out quite a number of notes to ask people if it was okay.

(Jeff): Yeah, I know and I apologize. I just did not - it is a question mark and it should be something else. I don't ... I'm trying to figure what it should be.

(Denise): I (unintelligible) come back to it.

Marilyn Cade: And hopefully, we can change it to whatever needs to be changed to at that time.

Woman: Okay, any other issues on either section 3 or the charts at this point?

((Crosstalk))

(Marilyn) 1: I can't hear you.

(Kristina): This is (Kristina). When we get to the chart itself, it would suggest and again I apologize that I will insist that there might (unintelligible) how I can (unintelligible) this office.

(Denise): This is to help everyone, that chart was only a tool for reporting what we have always (unintelligible) to a process (unintelligible) as an expansion. Once everyone is happy that they are (unintelligible) represent a cause and effect, I will insist a corrected version of the chart to the back May. I thought I'd see one (unintelligible) in the body (unintelligible).

Woman: Okay.

((Crosstalk))

Marilyn Cade: Is the hash marks over 1B1 and 1B2 will make it hard to be read.

(Denise): Possibly yes.

Alistair: I also had a comment on the chart. This is on 4.01 I thought we'd actually clarified additional 4.01 at Sao Paolo.

Marilyn Cade: That's, Alistair.

(Kristina): Fine, Alistair. I'll pick it up as soon (unintelligible)

Marilyn Cade: More A-1?.

Woman: Okay

Marilyn Cade: Any other issues or comments on the chart? Why am I stalling up here no other comments anyway. Okay, I'm moving on to the next page.

On page 3. Okay, I had a general comment on recommendation before going on and that is, "that it's hard to find the recommendation in a level of support that we see in the report." And the next stuff I had was comments about how that should be resolved.

(Denise): I just like to comment on that. What I do like to do was the way in which the so-called recommendations were presented in Sao Paolo included all of the possible persons that they do come up with for potential recommendation.

At some point, we have to follow that presumption into pros because that shows where the support was. If you look at 2.4, 2.5, 2.6 as it

describe which constituency supported was and at the end of 3.8 it says, finally, then 3.9 in summary there's a (jarred) of support for policy guiding the (unintelligible) we opened that with that length maybe it should be a reasonable length that's containing the (cake). If he wants to bring that out to the top, no problem.

((Crosstalk))

Woman: As we stop with more question if others agree then certainly that's what I would suggest, but when we get to the discussion, I would really want to know what other people suggested about. Yes, please.

(Alan): I'd like to echo some of the concerns to this section. One is, I don't see a definition of what is different characterizations are.

We got 5 teams that get near to the (unintelligible) with different constituency support because definition of reasonable expectation renewal, no definition of reasonable expectation of renewal in 3.6, renewal expectancy in 3.7, presumption of renewal in 3.8.

Such as that it should be clarified and then if you have 3 constituencies supporting something as 3.5, twp in 3.6, two in 3.7, and two in 3.8, that sounds like 9 to me.

((Crosstalk))

(Denise): Remember though, that there are 2 elements to the question. First of all, that there should a policy guiding the renewal and what the policy on it should be.



((crosstalk))

Woman: The heart of your question about the definitions of these. Each of these?

Each of the constituencies that listed all of the references with materials are in the back. If you want a reference that this way, then no problem, Amy could do it. She should be able to do it.

(Moderator): Is somebody online? (Unintelligible) 1S2.

Marilyn Cade: Yes, and also just on levels of what we had been operating on a certain notion of what level of support meant and I don't see that as being either occurring the document or here.

(Denise): But it actually is.

Marilyn Cade: Okay.

We just go up a bit so...We didn't go back to it. In other words, you know like this can't fit in.

(Denise): It's there. It says more than 3 years majority support for it, whatever. It's in the document.

Marilyn Cade: Well, all we had support from company (unintelligible). Okay. So, the definition by majority support level.

Woman: Okay. Any more comments on page 7?

(Kristina): Yeah. This is (Kristina).

The characterization of IPC support in 3.6 does not match what we submitted in late December. We had actually indicated that we were supporting there should be a renewal expectancy for all registry agreements. Which I think would then move us down into 3.7.

(Denise): Thanks, (Kristina).

I had your comment, and somebody was writing that so I will go to these series of comments that came in December and (unintelligible).

(Kristina): Sure.

(Denise): So I will just review that quickly and I've got the text which is behind me to use.

(Kristina): Okay.

Marilyn Cade: Any other comments on page 7? Page 8? This is a general comment on is being called. Any specific comments on 8?.

(Jeff): This is Jeff. In 5.2, can you merge 2A1 and 2A2? Didn't we merge 2A1 and 2A2?

(Lucia): Yup, we did.

(Jeff): Okay, the text just needs to reflect that.

((Marilyn)): (Unintelligible) check has to be void. Is it not agreed that to the appropriate limitations to (unintelligible) leave that (unintelligible).

Marilyn Cade: Yes, exactly. I'll get to it right away. Thank you.

((Marilyn)): Next, let's continue in 5.12.

(Denise): Appropriately what now?

(Moderator): That's what we talked about.

((Crosstalk))

(Jeff): Sorry, what was that? I couldn't hear that.

Marilyn Cade: Jeff, what we talked about was that the present limitations with concerns to policy are appropriate and should continue.

That's the word that appears in the sentences are approved.

(Jeff): Right. That's right.

((Crosstalk))

Woman: Okay. Any other comments on page 8?

Marilyn Cade: It's Marilyn. I have a comment on 6.3.

Woman: Okay. That is then same I am in, is it not?

Marilyn Cade: It's page 8

((Crosstalk))

Marilyn Cade: In 6.3 what is not clear is that, we were talking about sponsored detailed (unintelligible), so if you read 6.1 "The task force recognize certain policymaking responsibilities should be delegated sponsored TLD." Right? And then, but if you read 6.3 it says, "All constituencies with supported the recommendation.

That certainly is policymaking responsible to be delegated the detail the operators." That was not agreed. It was the sponsored TLD operation.

(Denise): Yes, if you take the insertion of delegated to this sponsored detailed TLD operator.

(Kristina): This is (Kristina). Just getting back to (PD) if we could.

With regard to Section 4 when the IPC submitted its comments, with regards to that we had submitted the proposed modification, and I just didn't know that this was the time that we were going to discuss that or we were just going to note it then come back to it.

Woman: We should note it and then come back to it when we're discussing that section in more detail.

(Jeff): This is just a procedural question on that. I mean, I thought we're not really modifying anything. I mean they can propose the tax in there.

(Denise): The statements that were proposed remain as they were proposed unless somebody wants to argue that the language is not properly requested. But if somebody had a proposed modification that can be lifted in the tax as a proposal came from.

(Jeff): We are not discussing any sub of the proposals right?

(Denise): Correct. We are just noting that someone did submit a modification and then this is what they believe on what that constituency wants.

You know, wish to have noted. But no. we're not going change the vote itself or the (unintelligible) itself, level of support measurement.

Woman: Okay, continuing on page 9.

(Jeff): This is Jeff. It seems like there's a conflict in 7.2 and 7.6 with the IPC and maybe that should need to be clarified. At one point, it looks like it says they abstained and another point says, it looked like they support. So, I mean, I don't care which one it is, it just looks like a conflict.

(Kristina): Which number, Jeff?

(Jeff): 7.2 and 7.6.

(Kristina): Okay.

Steve Metalitz: Steve Metalitz. I think the correct answer is why the IPC abstained.

(Kristina): Yes that's correct.

(Audrey): I don't see any reference on (unintelligible) 7.2.

(Jeff): 7.2 said the remainder of the constituency supported the recommendation.

(Audrey): Right but it says they did not take part in this discussion. It needs a clarification.

(Denise): Sorry. And the IPC abstained.

(Kristina): Correct.

(Yvonne): I'm sorry. This is from (Yvonne). If I would say the IPC abstained from voting on this recommendation. Would that suit you?

Steve Metalitz: Yes. If you can insert that in 7.2.

((Crosstalk))

Woman: Okay, moving through. Is there anything else before 7.6? Moving the page.

Marilyn Cade: Everything you just said is in 7.6?

Woman: Of course.

Yes, sorry. Go ahead

Marilyn Cade: I'm a little confused about...My recollection was that in some situations of the (document).

(Audrey): Yes. She did accept the view that she doesn't have any vote. That's how it is characterized in the chart that (Maureen and Sophia)...

I'm not sure that that actually ... begins on the status that appointed to. And I thought that at this stage, she was appointed on the next.

Marilyn Cade: I think that... Remember we weren't doing votes, we were doing indications of level support and so NomCom, even though I spell it incorrectly, was medium support with a minimum of three constituencies with some NomCom.

(Audrey) And so yes, we indicate support. No one voted.

(Marilyn Cade: That would be my view, that we didn't vote. We took indication of support and in several instances; we did indicate support and dismissing....

(Audrey): Which way is line is it on?

Marilyn Cade: I was on 7.6, which doesn't make a reference of whether or not you indicated it in the chart. The chart may take it back to the answer. I'm just trying to flag the issues that I noted it in several places with a question mark and then we (unintelligible).

(Moderator): Okay. So yes.

(Audrey): Basically the question is, in general, does NomCom, expert NomCom member question of support?

Marilyn Cade: That wasn't my question. My assumption was it should be included, but it should be shown.

(Denise): Would you just quickly move back up to page 6 where it says, "Every (Maureen, Sophia and Brett) fosters intention in each of the recommendations." And I need clarity from the group about whether you are treating that as a measure of weight for ...

(Audrey): Wait. So basically what I put there, should NomCom member question of support be shown in extended discussion. In other words, in whereas describing it, should it be included there. It's a question.

(Denise): No. It's not quite the question.

(Audrey): Sorry, I don't understand.

(Denise): The question is, in determining levels of support for recommendation, is the support of a nominated committee member recognized to determine whether it's medium, strong or not at all.

((Crosstalk))

(Audrey): We already made that decision.

That decision we made.

I think what was more of the issue was whether an annotated piece to be included somewhere.



(Denise): Yes. Could you extend on that a little bit. We don't have that. If you could just send it to down the hall.

(Audrey): Yes. I'll give you the profile at the end of the conference.

(Denise): Just so that everyone is aware, when I was doing this and reviewing it, each of the intentions of the NomCom and the ALAC people were recognized in the table.

(Audrey): Okay. I think I got that one captured may be (unintelligible).

((Crosstalk))

I was treating what we were doing as a poll, like the word "vote" being a little (unintelligible). Do I need just to point out the other places that are also seems to be blank?

(Denise): Are you going to do that now?

Steve Metalitz: Can we do that offline?

(Audrey): Yes. If you just send the list of all the ones we've noted. If you get a general comment which I have got there, and then we should look whenever there's a listing of people that expressed once we answer the question, which we haven't answered yet.

((Crosstalk))

Yes, (Milwaukee).

(Milwaukee): Yes, in 7.2. I wonder if (NCC) did not vote, is enough to express (NCC) position. What we expect for that is recommendation needs under (NCC)

(Denise): I'm sorry. Can you just let me catch up to where you are?

(Milwaukee): 7.2.

(Denise): I better get back up a bit. If you go down (Milwaukee) to the section 7.5, you will see that the (NCC) product position is explained there. It is 7.5 and 7.6.

(Audrey): Perhaps, though the test will need to be adjusted in 7.2 when we talk about. There's the point to that. So I have noted that.

Woman: Okay, anything else in page 10?

Marilyn Cade: On 8.4, it's Marilyn.

I know that some of us may know what an (RG) is.

Kristina: It's off the top there.

((Crosstalk))

Marilyn Cade: It's a registry constituency in (RY or in RR). I am just saying that in particular we do not need to be consistent with all the reports.

((Crosstalk))

(Audrey): Moving on, anything else on page 10 which ends today at 5. None?  
Okay.

We're into 9 which some of our references used page 11 number 9.  
Obviously we have to add (unintelligible) text.

I'm not sure if we have to discuss adding that text. We have to add the  
recommendation, and we'd also start poll once we have them.

(Denise): Having the doc recommendation, is it 9.5?

(Audrey): Yes. What else did you intent on adding?

Marilyn Cade: Well actually I think the text was a little bit more developed. We just  
need to make sure that it is listed as a recommendation and then get  
the levels of support as opposed to just...

(Denise): But you see that in 9.6 it says "This is only what need to be completed  
with vicinity with indication of support..."

((Crosstalk))

(Audrey): As I said, we'll discuss it when we get there. And there were specific  
texts sent on the mailing list, but then at least one constituency has  
reacted to and hopefully the others have some reaction too, and we'll  
get there when we get there. No reaction? We can get there.

(Denise): An allergic reaction to him.

(Audrey): Oh an allergic one, I'm sorry I catch have that. Forgive me for eavesdropping on the side comment. Anything else on page 11? Yes, David.

(David): Where does the quote end in 9.5?

(Audrey): Exactly. We need to clarify that.

((Crosstalk))

Marilyn Cade: I have a question that's kind of a point of order for all of us. It's my understanding that when Maureen announced that she was not coming back, I made the motion and it is my understanding there is a claim due (unintelligible) and I am not sure why we are continuing.

((Crosstalk))

(Denise): And you are considerably right, Marilyn.

Marilyn Cade: On, thank you.

(Audrey): So that means it is time to replace it because there is nothing permanent as a temporary. Now that I'm permanent, I can be replaced.

((Crosstalk))

(Kristina): We'll have a private party later today.

(Denise): I have a question for (Marilyn). (Marilyn), do you want the (unintelligible) footnote that said she was voted as the permanent one? Do you want to answer to that?

Marilyn Cade: It's not included.

(Audrey): Later in the report, there's an appropriate place to make that update. Okay. Anything else from page 11? Okay, page 12, 10 reference 6. Any comment?

Marilyn Cade: I'm sorry, I need to point something on that (unintelligible) It's just a simple rule. It says the term of references that (unintelligible) had agreed...

((Crosstalk))

(Jeff): This is Jeff. When I have the chance...

(Audrey): Please.

(Jeff): Again, I don't want to go back on the rule that we don't rewrite the recommendation, but in John (unintelligible), keep me honest here, didn't we have a discussion that we didn't know if the (SSAC) really wanted to take this on with the appropriate body, but just asked to replace that text with some kind of board advisory committee rather than (SSAC)?

(Denise): In fact, I can follow up on that. I had a detailed discussion with (Jessica Keller) who is (unintelligible). He looked at me with a blank face and said, "Oh my God, no thanks."

So we do need to amend that because he has had detailed discussion with (Dave Crocker) so I can circle back with him and say, "What did you actually mean in citing this rather than just a response?" But if the group has some more generic term to use other than identifying exactly the effects, then that will be helpful.

(David): I'd like the group to keep it the way it is. ((Crosstalk)) If the (SSAC) has a problem with it, then why don't we put it on the record and let them say....

((Crosstalk))

Marilyn Cade: Any other issues on 12.

(Denise): On page 12...

(( Crosstalk))

Marilyn Cade: Okay, now I don't know that we need to go through all, although we can. Page by page on all of the annexes, but I would like to go through annex by annex and ask if there are issues that we'll need to take care of before publication.

(Audrey): That makes sense so the people think I should ask page by page.

(Kristina): I have a question...

((Crosstalk))

(Kristina): (Unintelligible) this is for Marilyn. I really want to caution against that.

This is the report of the work and while you guys may think it's substantiated in your memories, the council has to make decisions on it and then the board has the references as the basis of their decision.

The public turns to it, so if you ignore it and you ignore an error, you may be creating a problem.

Marilyn Cade: Okay.

(Jeff): Just to clarify (unintelligible) are permanent ignoring of the annexes which is the purpose of this meeting (unintelligible) probably more crucial.

Marilyn Cade: (Unintelligible) we are going through this, but in the process of collecting all that needs to be done, I think it maybe worth, but I would prefer not to go through it page by page and just ask, "On annex 1, are there issues that need to be resolved?" and give a general description of what issue needs to be resolved.

(Audrey): I have a question, Marilyn. This is Audrey. You refer that the very top to agree to the charter and the work timelines.

Are you happy that the timelines are included in annex 1 rather than, you said something about a modified works timeline?

Are you happy that those comments are included in the annex as they are there which is a possible charter and timelines? Or do you want me to include it in the main body of the text?

Marilyn Cade: If, to my point was, that we needed to be clear that the capitalist work on the modified timeline and the council was aware of that and supported it because I don't want to find us in a situation where in the registry or even the community comes back and says the (PDC) did not adhere to a 120-day schedule and therefore is imbalanced.

I (unintelligible) with the report with regards to that. As we work, a modified timeline was publicly known. Okay, so the question is, is annex 1 the place to do that? We can come back to the question later.

Any other issues about annex 1 that needs to be flagged for later discussion?

(Audrey): I just have one and that is, in several phrases in the report, there's a phrase that appeared, I really wouldn't like to suggest to strike it.

Leaving that opposition aside. I think that kind of registry backward statements starts with the participation data below shows that the individual participation.

((Crosstalk))

(Audrey): (Unintelligible) Okay we can capture that phrase leaving out the opposition aside. Is there a showing we can get back to it.

Any other issues on Annex 1?

(Denise): Annex 2.



I'm sorry I just have to come back with (unintelligible) here.

(Unintelligible) to explain why that phrase is there?

(Audrey): Can we do that in the discussion when we come back?

((Crosstalk))

(Audrey): I am just trying to get issues right.

((Crosstalk))

(Audrey): As I have said, (unintelligible) Annex 2, the participation data.

((Crosstalk)).

(Audrey): I would think that (unintelligible) updated, but I don't know that there is much to discuss about participation data.

(Denise): (Audrey), just to be clear, the chart would be absolutely correct in (unintelligible) with making sure that for both February 6 and December 5 because it is stated at the top to include it as a matter of course so that people can see who participated, when, and how many meetings there were, and how long they took, and all that.

(Jeff): The only point I would want to make on participation is that, they accepted anyone on the course of appropriate participation that should be getting some kind of award.

((Crosstalk)).

(Jeff): I can't (unintelligible) for the newest member to royal blue  
(unintelligible)...

((Crosstalk))

(Audrey): Okay, moving on.

Marilyn Cade: I think this is the place (unintelligible).

((Crosstalk))

Marilyn Cade: Okay, so moving on. I think the next one we leave alone. I think that  
annex 3 is constituency statement and rapporteur group.

I think if they have any edits or corrections to be made to that, they  
make them directly to (Liz) from the constituency or from the  
rapporteur group. I don't see us going through that here.

I think we've gone through that plenty of times.

Any disagreement?

(Audrey): I just going to make one point on and I just want to call to Alistair.

((Crosstalk))

Marilyn Cade: I think these are up to each of the constituencies to check it. Make sure  
that what goes in as your constituency report is indeed what you meant  
to go in as you constituency report. So annex 6 (unintelligible).

((Crosstalk)).

(Audrey): On page 31, I need to find out, on page 31, if it is here, if the TOR (unintelligible).

Marilyn Cade: Okay, but can you add on the...

((Crosstalk)).

(Denise): It is the conclusion about the working today (unintelligible) consider 3 separate options (unintelligible).

I will talk to other members of rapporteur when they to come back...

((Crosstalk)).

Marilyn Cade: Okay, but as a rapporteur for that group, we'll just make sure that it...

((Crosstalk))

(Denise): Remember now that the purpose of this particular annex is to show to any reader who is interested what the group actually did, but that the main body of the report actually shows the result to that. But it should...

((Crosstalk))

(Denise): ...as the people would like it.

(Audrey): Okay, so that gives us our page list of issues. Okay, for the people who are leaving early today, so that was you (John), are there any of these that we needed to get in (unintelligible)...

Man: I think it's in order.

Marilyn Cade: Okay. By the way, it's 11:20 now, set lunch for 1 (unintelligible).

(Audrey): Now, that's why we want to move to your discussing, walk through ahead of the points. Do you want to put up the text as we go through this?

Marilyn Cade: No it's fine. What I'll do is, this might be an easy way of getting it. This is a (unintelligible) thing that the other one wants.

So we'll just put a summary of the recommendations here. Accept it this way, do it that way. I don't think we need to anything about that.

(Audrey): If we put on any other things while we're talking about wording, it might be good to actually do the real wording lines.

Marilyn Cade: Okay.

(Audrey): Because we were basically trying to end things as of this meeting.

((Crosstalk))

(Denise): I don't know if it's the same one that I have because I have the little machine. But it's probably different.

Marilyn Cade: I mean, as much as possible, I prefer to go away from this meeting with the text that everyone accepts.

(Audrey): Okay, I think you have the other one. You have to say that you have the...

(Carrie): Public (unintelligible) requesting, it's (Carrie) here.

(Audrey): Please, (Carrie).

(Carrie): Okay, I'm going to call a little bit late obviously because of the time given, I'm not going to be able to on top or anywhere near for the entire day.

But what is the intention of, this be the urgency in the timeline that we obviously have to recognize them.

Is today's session intended to be the final one prior to posting for public comment or...

(Audrey): Yes, the session today and tomorrow are intended to be the last ones before we post for our second public review and comments and then we will have to discuss it yet, but I sort of think that there would be one more teleconference and then it takes to (unintelligible) meeting in Lisbon to basically do the passport, both on sending the report to the council.

(Carrie): So that means that if I have to tune out because it's midnight here and it's late and miss all of this, I will tune back in tomorrow.

I will be aware of exactly what it is that is being finalized before posting?

(Audrey): What are we going to do now? What we've just done last year, all the issues (unintelligible).

We are going to work on the documents in real time. And see how far we get to (unintelligible) the ones we don't (unintelligible).

(Carrie): Okay.

(Audrey): There are certain people rooting from finishing at all today, but I don't want to leave early simply because we want to finish it all today.

(Carrie): We can also leave early because, the entire prospect is impossible.

(Audrey): Okay. Are we ready? (Unintelligible).

Does anyone know what the function is?

Marilyn Cade: If there shouldn't be a function, it should just show up.

(Audrey): Okay, we are going to start working through, but the first issue that was listed was...

Okay now, you have mentioned that you were putting in a recommendation or an abstract or something. Where does that go?

Marilyn Cade: So you know in the (unintelligible) background but which is very helpful, (unintelligible) they know from which they (unintelligible) and which direction they are headed in.

Is that what you are thinking about that, you know, that there would be a sort of couple of backgrounds there.

(Carrie): Is that the executive summary?

(Audrey): (Unintelligible) But the introduction is not really an executive summary. It's they not an introduction.

(Denise): We want you to put the recommendations. The executive summary and then recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10?

(Audrey): I was actually suggesting a couple of paragraphs that later in the, if we re-do everything, I think we could pull out a couple of paragraphs that provides the background but, you know, I really feel that we need to provide a background, but in the executive summary, if we typically summarize everything about the report, we are back to another option, to have another executive summary, which an effective summary would include.

Marilyn Cade: I'm trying to understand where we plan to put the recommendations in level support.

(Denise): I think it is on the table. (unintelligible)

On left hand side, I have the recommendations. On the right hand side, there is that level support based on that (unintelligible) several supportive majority (unintelligible).

Marilyn Cade: So that will be section 2 recommendation?

(Denise): Yeah.

Marilyn Cade: Okay, let's go ahead and stay with section 1.

Okay, so the first one I have was the, basically, 1.5, 1.8 repercussion of points was in sampling 19, 20, 21 including opinions of others and other constituencies for the whole issue about how many times and in what places we list and discuss the constituency issues both with (unintelligible) and with (unintelligible) itself.

But also, to include the views of others, so I think it's appropriate to clearly document the effects of the some registry constituency that could also make with the appropriate documents that although, there was thorough discussion of that, and there was also consultation with the civil council's office, other constituency, the nominating committee members, this (unintelligible) in the thorough discussion and noted the disagreement with the objections or lack of agreement with the objection raised by the registry constituency.

Because otherwise we have 4 inserts about a constituency objecting, but we never summarized what's that they were to discuss on and that others did not report that.

(Jeff): This is Jeff, if I can speak whenever?



Marilyn Cade: Let me (unintelligible).

Okay with (Jeff) (unintelligible).

Anyone else who wants to be on cue at this point? Okay (Jeff)?

(Jeff): Yeah, I'll just point that, I think it's irrelevant whether someone agrees or disagrees with our objections. Otherwise you have to go through the entire report of every point where someone objects or modifies in responses to those modifications and objections.

Irrelevant whether that (unintelligible) council discuss it or not, the objection is one really for the (unintelligible) general council and I know (John) in a room or at least there was at one point, but that is for him, that is not for the council to consider, that's not for anyone else.

Others has nothing to do with the council. So I will completely object to anything included in there, saying that the (unintelligible) council discussed it and disagreed. Since it's not really relevant for them.

Man: Can I join the (unintelligible) please?

Marilyn Cade: Okay, I got you also on a cue list.

Woman: (Unintelligible) note 1.3.

The report is not yet complete because we don't have these things (unintelligible) and they are required by the vitals so that (unintelligible) support to have included.

(Unintelligible) the (unintelligible) dealt with because he had only (unintelligible) in the repertoire group and others.

That's just to be clear (unintelligible).

(Denise): We will set with 3 and 4 which was the requirement by the by-laws so what I need to include the (unintelligible).

Marilyn Cade: So, this would be included before this ones for public comment again?

(Denise): No, no. It can be after the public comment.

Marilyn Cade: Okay. I thought we were sending out as complete address sign as early as possible.

I didn't realize that there was more.

(Denise): The second question was how to incorporate that idea, (Marilyn). I wonder how it might be efficient to that, but I am (unintelligible) by saying 1.5 and 1.6, and 1.7 for that matter. Was that everybody got to the (unintelligible) constituency agreed, that has included some evidence, but that was the case on having (unintelligible) section 1.4 and blah, blah, blah. (unintelligible)

(Jeff): If I can I be added back to the queue, after?

Marilyn Cade: Can I just (unintelligible) before we go out but I said was that the passport to complicate them with the council office and that the

passport discussed the concerns and objections of the constituency in details.

Denise: Okay, Alistair?

(Alistair): I think it sounds to me like what (Marilyn and Liz). The point of this what I wanted to make is that give me the registration that the constituency head, but all the constituencies expressed an opposing point of view.

And I guess, when I read it, there is note a lot about the registration constituencies concerns, but not mentioned that actually were all the constituencies took a different position on the validity of the work of the staff board.

Marilyn Cade: Thank you, (Jeff).

(Jeff): Just point on what Marilyn noted.

She sent the task force to discuss this with general council. I am not in that room, so I don't know if the general council is still there. I heard them earlier.

(Audrey): Yeah.

(Jeff): But I don't believe and maybe let the general council correct me, but I don't believe our objections were discussed with the general council or at least the general council issued an opinion on our discussions.

I don't want to make it sound like the general council addressed our concerns coz I don't believe it has.

And with Alistair's point, look, if you guys want to say that you believe with this scope, fine. No, I don't have an objection to that. My objection is that it sounded in a way that you would look at that the registries concerns and you came to the conclusion that you disagreed.

So, in other words, there's a subtle difference. If you want to say that you guys believe in this scope that would be fine, but I don't want to sound like you that you were judge and jury over the registries concern. Does that make sense?

(Alistair): It certainly does. I certainly would want one to say that I was judge and jury over the registries concerned.

(Audrey): I don't think anyone would want to be judge and jury. Does the general council want to add any comment to this one.

(Jeff): I don't think that the general council's office had ever expressed an opinion that this is within this scope.

(Kristina): But they did of course have a conversation about this when we were together with (Dan) and with others and I'm not suggesting that you did say that the scope that we did and Maureen did not recall this is submitted to the council or requested within the council's office.

(Jeff): So, there was a discussion there was just not a determination of the scope and I think that was just the point.

(Audrey): Okay.

(Jeff): That's correct. Thanks, John.

(Audrey): Anymore comments on this particular topic before moving on and have we come to the agreement on how we are going to handle the 1.4 to 1.7, if I understand. Marilyn works on language to list on everyone else on this basically being a discussion of the as opposed to (unintelligible).

(Jeff): Just a, Marilyn, I don't mind if 1.4 to 1.7 is combined with 1 paragraph, I don't have any kind of objection to that.

(Alistair): It would be helpful (unintelligible).

Marilyn Cade: Can anyone else want to be into, on this point, while we are still going through it.

(Audrey): Okay, then.

(John): The one concern that I have and I think it was expressed by members of the registry at the originally names council meeting was, we did want to object and you objected to this process.

We thought the terms of reference that we are out of the scope and yet you still participate

So by your participation you almost stopped, I guess (unintelligible) the word denying that there was not a legitimacy about that.

Correct me if I'm wrong any point in time, what we do was well on the record early on (unintelligible) thing.

So we never got a definitive opinion. The opinion to participate primarily because, you felt you have to have a perspective there and that why over and over, whether it is David or myself or Jeff or anything, keep pointing yourself.

(Audrey): No, it's definitely been clear that they ever (unintelligible)...

(John): No, no I understand, but I don't want to have something (unintelligible) we have a vision and suddenly found something there that we did not see it first.

(Audrey): So, I will be indicating that this language does or doesn't say that at the moment.

(John): I'm going to go with, I think Jeff has a good perspective on it.

(Audrey): Okay.

(John): Much more adapted this.

(Audrey): So Jeff is essentially, if I understand correctly, accepted the language there though saying it could be combined into one paragraph and that Marilyn's prior sentence would be prior and would not actually modify what Jeff is being comfortable with. Is that what I'm understanding?

Marilyn Cade: What I would propose is 1.5, 1.6 to 1.7 might be combined and 1.8 then might be 1.6. So I'm going to submit a 1.7 and 1.8.

(John): That's 1.7 and 1.8.

Marilyn Cade: But it won't be modifying the currents which is only modified and that's the language is comfortable with.

(Jeff): It's more important, in my opinion, that not only we understand that what we are talking about here, but the memberships before it could be read by third party.

We did make sure that the impression and, you know the prima facie and wording is in effect. (unintelligible) from a different perspective.

(Audrey): Unless this language is doing it with.

(Jeff): The third party suggested that they read.

(Audrey): Okay. Anymore comment on this particular issue at this point. They say once the language is recrafted, there will be the common period we are going through it again and people will be able to comment again to make sure that the prima facie indications and impressions are indeed what people read them to be.

Okay. No one wants to comment. Listed of the indication of approved modified time line as though in introduction, Marilyn?

Marilyn Cade: Yeah.

(Audrey): You have brought up and though we have discussed has a couple of other points, the modified approved timeline, did something needed to

go in the introduction on that as far as you are concerned. Kindly indicate where and what?

Marilyn Cade: I think that is should be (unintelligible).

(Audrey): What, 1.3?

Marilyn Cade: The requirements of the guidelines that probably should be 1.3 that something or other that explains that the (PDP) timeline has been accepted as a part of the (trajectory) report is not being something that can be strictly adhere to. The council has formally modified on a case by case basis, but we certainly modified by behavior and that has been accepted. We needed this document.

(Audrey): Do you have an idea of language now that could actually be put in? I understand that Liz needs to put in a comment, but if we could come up quickly with a sentence that said that, and we have that proposed if that would be that.

(Denise): Just a cautionary note here, the charter and the timeline were probably (unintelligible) and agreed by the group and that timeline was never formally amended by the council.

There was no correspondence from Maureen that the council would indicate that the group that there would be a modified timeline and reviewed.

(Maureen): I know that I made a presentation to the council of a modified timeline, and that was actually the set applied, and got the council's approval. So, I did have an approved timeline.



(Denise): I'll go back and I'll (unintelligible) at exactly because it needs to be putting the right (unintelligible).

(Audrey): Okay. So, if I call you. Oh, okay. Anyone else and I've noticed that you had...Most every chair I've ever worked with had a bad habit of looking at one side and not the other side, so yell at me if I don't notice this side...

(Denise): Left hand, (unintelligible) I've noticed.

(Audrey): Okay. So, for the modified timeline, you'll have a comment and it will refer specifically to the presentation dates. Okay, then we were moving to the recommendations and there was the chart that we basically talked about.

Marilyn Cade: Okay. So we have recommendations. The couple issues in recommendation. One there was a correction of various people votes in the chart. There's a moving the chart through an annex we discussed. Is everyone comfortable with moving the chart through an annex?

Marilyn Cade: We were uncomfortable.

(Denise): Just make sure it's correct because it means as of the end of today, it means to accurately reflect exactly what you're positions (unintelligible) if it's all possible to.

Marilyn Cade: I think the if it all possible is...it really...I mean, this is one place were a back up, if you've asked people many, many times and really if it's not correct, it's really time to get it set.

Now, one of the things that I believed was also missing from here is it's nice to refer to 1A1, 1A2, 1A3, but they need to be included for people to look at. So, I believe that in the annex, 1A...

Marilyn Cade: It said all those recommendations that we were discussing need to be listed there in the language that was current at the time.

(Audrey): Okay. Then the other issue...

Okay, Marilyn. Yeah. I'm sorry. If you explain...

Marilyn Cade: I'm just... I'm having more trouble figuring out how that works based on the way the report is presently written.

So, 1A1 corresponds to the term of reference 1A, Registry Agreement Renewal.

We basically had a set of recommendations. I mean...and those aren't in these documents at all at the moment. That's was what I...That's what we're going to talk about how to get them back in there.

(Audrey): That, well, and there should be very little discussion about...I mean, as long as people agree with putting them in, it would speak the language that we discussed then.

Marilyn Cade: They have to be in there for the (unintelligible).

(Audrey): Yes.

Marilyn Cade: Does anyone disagree with putting those in?

(Jeff): Could they disagree?

Marilyn Cade: No. I think it's the final report. The purpose is to put forward the recommendation.

(Audrey): Right. Okay. That's what we're going to get through next. Okay. So, we've now moved the suggested recommendations through an annex. So, that's what those were.

There were various possibilities and suggested recommendations. We did the straw poles, the levels of report on all of those recommended, all those suggested recommendations, and came up with some level of support on all of them. Some of them were strongly supported, some very few.

Some of them were supported, et cetera, based on the criteria that we've decided on. So, what I need to understand is how we get those into this recommendation section?

Marilyn Cade: How do we get them? How to have them showing in (PDP) '05 and why don't we just use that as the model?

(Denise): This could be tackled here, but...at that time, the question is...if you look at sections 3.3 and 3.4, and actually says in a narrative, what

recommendation is, that there should be a planning time for registry agreement. That can actually (unintelligible).

Marilyn Cade: That might be, but it's very hard. At least in my opinion, it's very hard to find the recommendation in the middle of the discussion, and I think it's important to have both.

(Denise): So, how about we put the keywords that examined the specific reference in here and then list, 1A1, 1A2, blah, blah, blah, at that note...

(Audrey): And this was to definitely.

Marilyn Cade: Okay, no. You weren't going to list all the 1A1's through there. You were just going to list one time.

(Audrey): I was going to write the recommendation.

Marilyn Cade: The recommendations that receive support and whether it's a multiple choice, was done.

(Denise): Because...it's...unless you do it once...there's a really early one to represent the recommendations that have some support and strong support.

(Denise): Does that mean that you have to be (firm), not just to what we agreed.

Marilyn Cade: Okay. Let me take a 2 on this particular issue and as far as I can tell, do we list in these sections all of the recommendations with all of their

levels of support although we list those that have strong and not strong.

(Audrey): Okay, there's (Marilyn), anyone else wanted to speak to the issue? Anyone on the phone wanted to speak to the issue?

(Jeff): I'll resist my right.

Marilyn Cade: So, yeah. Okay. And I also had talked with (unintelligible) I put Jeff in the middle. So that sounds great.

(Denise): (Unintelligible), include whatever the passport considers. They have to discuss about it and at the end include the recommendation.

(Audrey): Marilyn?

Marilyn Cade: So, that's an approach to my work, but remember we need to be guided by our...if there's a minority opinion for instance, that we base substantial support then we still would need to include minority opinion. So, it might just flip over in our minds and look at what the (risk passport) is doing.

(Audrey): How they are...They have an opinion and (Steve) may be able to help me on this, but I think there's an opinion that's got a couple of re-constituencies and some NomCom support and an opinion that's got a recommendation that's got 3 constituencies support and there's 2 separate submissions that came in, one from me and one from a couple of individuals as well.

So, they've got in presenting a recommendation, they'll have a majority...looks like we'll have a majority opinion and they may have a minority report. I don't want us to get caught you know, I think we've got some guidance.

The question is, what do we present and then what are the recommendations? One of them is, if you present what the options were, then the discussion, and then the conclusion of the group, may be the logical way to do it. But the recommendations need to be drawn out. If there needs to be a minority report, then that would need to be added into the work.

(Denise): I need a contact with minority report does little...

That, we would need to deal with that because it is clear that the registry we're going to have view because there isn't. According to the registry constituency, there is not going to be a minority report.

It will be all in one place. So, it will just say, the registry for the support this or registry for the support of that or whatever. That's quite the people to do it. From a readability point of view, I would probably prefer to include the choices that the committee determines and then as Marilyn has said, "The conclusion of (unintelligible)."

By far, to have it in this top section here under the (unintelligible). The potential recommendations that we've discussed, we're discussing about it, and the final result.

Marilyn Cade: And the finals, that will be in a box and in bold letters.

(Audrey): Yes.

Marilyn Cade: I know it say, okay. I would say support 1A1, strong support 1A2. I'm only making that up at the moment but.

(Denise): Then I'll put that up for the executive summary at the top

It says (unintelligible).

Marilyn Cade: Okay, anyone not happy with that? I saw two people on the speaking list. Jeff, you were on the speaking list?

(Jeff): Yeah. I'm sorry I couldn't figure out what...so, what are we doing?

Marilyn Cade: If I understand, we are putting in each section after the (unintelligible) reference is with the options that the suggested recommendations would be lifted and the discussion, essentially, that we already have will show up, and then there will be box at the end that says suggested recommendation 1A1 strong support. Suggestion recommendation or however she puts it, 1A2.

Only the majority, only the 3 and 4's. So, only the support and strong support will be listed in the box at the bottom of the discussion. I don't know if that is visual enough.

(Jeff): I am trying to picture it.

(Denise): Did you say yes, Jeff.

(Jeff): So, I've already noted there was no mention of minority, I'm fine because I think minority has got two different meanings and...

Marilyn Cade: I think that in terms of the differences of opinion largely captured those in the discussions that she's got now.

By the three constituencies supported, there's two supported that, two supported proposal because it goes through in detail what the various constituencies said about each proposal in the middle discussion. So, but nothing is lifting the minority thought or the majority thought.

(David): Okay. Something we have to see I guess is kind of hard to...

(Audrey): (Phillip).

(Phillip): Thank you, (Audrey). Philip here.

I think you've covered up really what I was trying to say. Just looking at it, on the objective of council and on the third party, all I would expect to see under heading recommendation is precisely those things that the group is recommending, and it is strong support of report. I may happy to see those merged and the things like that level of support.

On happy note, given them prior major discussion because I want a short cut, you know, in what the hell the group come up with and what they are doing. Also, simplicity in terms of communication per everybody doing, not been a part of this process.



(Audrey): Can I ask the question? That votes would be listed, the strong support and support would listed in the box, but when you say merged, you are saying without their strong or support designation or...

(Philip): I would do it in the same way. You often see other sort of public opinion or chart when you've done fiscal surveys, you walk in groups things like supports and strong supports about together, because it's indicating what is positive thus this makes clear reading in terms of what's there.

The gradations in terms of discussion in the task force maybe interesting, but ultimately it's going to come to the councils in making decisions and what to do with that and it goes forward on the board. So, I think gradations are fine to find out where, but personally, I wouldn't have them.

(Audrey): Okay. So, they would certainly be on the annex table.

(Philip): Wait.

(Denise): Who are the people think of that idea and I'll take a list before we start and Marilyn, I have seen you on that list.

Marilyn Cade: Yeah.

(Denise): Anyone else? I mean I saw her, I wasn't making it a front (unintelligible) based on anything other than she was grabbing the microphone. Anyone else who wants to speak on?

(Jeff): This is Jeff.

(Denise): Yes. Okay. Anyone else? Okay, (Marilyn).

Marilyn Cade: My question at this point is, who were serving because I hear (Philip) saying as a councilor that's what he wants. But I'm trying to understand, how this office serve the public comment.

(Denise): I'll make a suggestion there because what we should do to the public comment here, which is what and when (unintelligible) is to say we solicit public comments about particular scene.

So, for example the text of that public comment would say, the passport I've recommended that there should be a policy regarding renewal. Does anyone have any total comment who knows about that, full stop?

(Audrey): Rather than a general as (unintelligible). It is a very positive specific public comment about the recommendation. Then I'll have to cross that with John and propose it.

Think that there's a lot to be done.

Marilyn Cade: (Jeff).

(Jeff): Yeah, I mean think this goes back to an...and I hope (David Myers) is still there, because back to our whole objection of support versus strong support versus...we didn't like it to begin with, as far as having any kind of significance, but certainly merging it to we would object to that, because you know in the end, it's truly, if you want to affect a contract, it's got to be a consensus policy and you know, I think

support, I can't remember what support four or five or what the difference was...

(Audrey): Or it was three plus some (unintelligible) people comes forth with (unintelligible)

(Jeff): To me, saying merging support and strong support, it makes a big, big difference, because there are certain constituencies that tend to vote in blocks and three being support. What's talking into that? I just would not want to see those combined.

(Audrey): Right. So, you'd like to continue seeing the differentiation.

(Jeff): Absolutely.

(Audrey): Any other comments on this particular issue? My view with this is having taken a differentiation between medium and strong support and having at least one constituency wanted to remain there. It should...

Marilyn Cade: Okay. Do we have any other discussion on the recommendations in general? Okay. Now, we talked about lack of definitions in references. Not in references, in the recommendations and references.

Now, where are those definitions going, is that all taken care of your glossary? That is going to be a major piece of work.

(Denise): Yup. Can I ask you a question about that?

(Audrey): Right. She had it right, it's the beginning of the document.

(Kristina): People don't often refer to glossary. Why these particular definitions are substance about the recommendation?

Why wouldn't they just be on the page?

(Audrey): Could you put on it an example of on what you mean...I mean other than (RG).

(Jon): Sure.

(Audrey): Please identify your voice.

(Jon): (Jon Nevits) from (unintelligible). I think Marilyn is trying to draw a distinction between an abbreviation that should be upfront in the glossary. So when you are talking about as we get into the substance of this registry renewal provision, when we're talking about reasonable expectation over renewal, renewal expectancy right in the heart of the recommendation.

So, that probably be explained in the recommendation itself in that sub-inner section.

(Denise): Yeah. For example...

(Audrey): Who wants to comment on that?

(Jeff): Yeah. I'll support with (Jon's) objection.

I think it is the footnote at the bottom of the page where it's first appears.

(Audrey): Okay. You're mentioning as a footnote. Is that what you meant also?

(Jeff): I don't care how it ends, but what I don't understand something in this little what's it's called right to the bottom of the page and see where the definition is.

(Audrey): Okay. Yeah. One could've gone online, one could have gone, footnote. So..

(Philip): What's done in a lot of documents that you still put level of support with the abbreviation and bracket and then use it in brackets from the rest of that paragraph for a recommendation so you don't, you're not don't keep on using the full set of words. You don't have to look back each time.

(Audrey): That's a different issue. That's the issue of the acronyms and abbreviations as opposed to the (unintelligible). I think...

(Denise): It's an easy one to deal with. For example, in a constituent to policy, a constituent policy here is a (unintelligible) contract.

It is viewed with (unintelligible) to see in the page capitalized which refers to it says the policy emergency contract.

So, I'll just use that as - we'll see if that's where it is and that's what we've done in the document.

(Audrey): But first use of any acronym would have it fully solved out and then after that. That's a normal policy.

(Denise): That is as normal as it can get.

(Audrey): Yeah. Okay, any other comments on the definitions and referencing issue? Okay. The next issue we have, I think we covered, it was the definition and use of support level, and that would be something I will send back to you. Okay. Then we had issue in 3.6.

Basically, we have several issues of the (IPcC) level support. Doesn't match what was submitted...

(Denise): Could you break it down that immediately?

(Audrey): Yes.

(Jon): Maybe we could understand what we are supporting or not supporting first before we figure out where, if there are, we need clarification somewhere...

(Audrey): Okay.

(Jon): Where the constituencies are, as far as levels of support, meaning 35 and 36. Pretty close...

(Audrey): We go back to 35 and 36?

(Jon): To me, I'm not sure what the distinction is and I'm not sure at this point what it means.

(Audrey): Oh, that's a whole discussion.

(David): I think it would be very helpful to understand so we all have the same understanding of what are reasonable expectation of renewal is in 35, of reasonable expectation of renewal in 36, a renewal of expectancy in 37, and a presumption of renewal in 38.

(Denise): (Unintelligible).

(Audrey): Okay. Let me, let me....

(Jeff): As I understood it, there were certain consistencies you supported a mandatory bid process. That was the basic. There were other constituencies with the registrars indicate the level of support for this were there was a voluntary bid process where I can have the discretion.

It's called discretion or default. The next level on this section, I believe was a renewal expectancy and it's presumption of renewal. I am not quite sure of the difference between the renewal expectancy and the presumption of the renewal.

(Audrey): I think we - eventually, I had a discussion on the mailing list where as after I got unconfused, we realized that there was no difference between those 2 minds that is expectancy of renewal, expectation renewal, renewal expectancy, whatever word, it's the same.

It is certainly a differential in the language and (Duncan) certainly comment on the 2001 contract versus 2006 contract, and are they both presumptive renewal provisions?

There are certainly distinctions between them or donor, an (unintelligible) characterizing the 2001 contract perhaps this renewal expectancy in the 2006 (unintelligible) presumptive renewal provisions.

Marilyn Cade: And the original discussion had come out of and you'll see was the one that introduced the term renewal expectancy, I believe.

(Jeff): I just have a point of order question. So, whether you've taken straw pole vote and you've already got in the document, now you are going to define it? It seems to me that is out of order food.

(Audrey): Actually, it is defined in the work of (rapporteur of Rapporteur Group A). I think we need to go back and see what the -- but I think...

(Jon): There was confusion, you know after...

(Audrey): Yes, right.

(David): And with all due respect, the straw pole was on (Rapporteur Group A), but on the document that was produce (unintelligible).

(Audrey): And what we basically need to do is go back to the 3 proposals and see what people voted on, and when I think we end up finding is that we had a Quit-Vote on 2 things that were the same.

(Marilyn Cade): Can I just...to make it easy for everyone because we're not going to reinvent the real (unintelligible) as the way it's done. This is actually included in the correct place in the document.

If you turn to a...



I love you (unintelligible). You said if you want 1 second, I will give you the exact paper that includes the constituency statements and the material that represent a bid is contained in the annex, that is what you want taken off. Give me the papers.

(Audrey): The proposed recommendations the people were voting on is also a separate existing document.

Man: Which the reason of the (unintelligible). Which 3 constituencies support a (unintelligible) expectation of renewal revived in which 2 constituencies, I guess you say the (unintelligible) aren't the (unintelligible) expectation of renewal prefix. I mean, it is the same 2 and 35 or revive section 3 consistencies?

(Denise): Page 26 of your documents, ((Crosstalk))... It is about that (unintelligible).

(Jon): Of course!

(Denise): It says here (unintelligible), here are 1A (unintelligible)...And then there are poor...And go back - if you're looking for an (unintelligible) bond of paper that footnote when you like.

And the page was put on 21 has the Rapporteur Group A which is now on sale.

((Crosstalk)). (unintelligible).

Marilyn Cade: (Unintelligible) up her the document with (unintelligible), propose recommendation (unintelligible).

(Audrey): Bring that one up, because that is the one that people vote for.

(Jeff): (Unintelligible) which exactly are we putting up?

(Audrey): (Unintelligible).

Marilyn Cade: ...because I do not actually think this is... I think there must be a previous report we may need to refer to because if you see, where this report ends on the work of Rapporteur group, it does makes us go all the way through the back, we suppose.

That was basically on the short document that was draft by (Maureen). Once the document where has the options in it, and though the numbering is different in the numbering we've got today.

(David): Oh, I remember that there was that I've (unintelligible) and make sure a renewal expectancy and that included the bid wherein there was a discussion in one of the group where the understanding of many other people was that a (unintelligible) expecting who did not (unintelligible).

(Philip): I am setting on a note right now that I found from December 6 just be forwarding. There was the impression that certain members of the taskforce had was that there were 3 options, mandatory bid, the treasury bid, no rebid unless there are repeated (material briefings). Maybe...

Marilyn Cade: I'm just going to (unintelligible). Did you say December 6?

(Philip): Yeah. Do you need a (unintelligible).

(Audrey): That is unfortunately done not what we ended up - I mean, since we have done the draw pole results before that and never got a renewed draw proposal of draw after we clarified this issue.

Marilyn Cade: I think it is probably appropriate to do a circle map, to get a (unintelligible) pole.

(Denise): Right. That is what I was going to propose. I think we've...right.

And we should put up those 3 from the mail there because that was the clarified understanding we eventually got to.

(Jon): The point of order of straw pole now, we're going to go back to our constituencies to verify, correct?

((Crosstalk)).

Let me put it this way... The registry who has to go back are constituencies. If you are going to change anything from what we (unintelligible) or talking about.

(Alistair): I do not see that the changes needed in the clarification and certainly from my profession to the registrar, we have consistencies taken on this issue and I'll just voting (unintelligible). That's it.

(Audrey): So, I think that it is possible that yes, there will be some constituencies that want to go or need to go back to their constituency, but I do

believe that it should be possible as we just mentioned for most the constituency to vote consistently with the constituency instructions they've already got, and I think that is probably worth doing if this worth could say.

Was certainly does not count toward support.

Okay, so this was it? Option 1 was the mandatory rebid with an advantage to the incumbent. For now, we are talking about - this is what?

1A1, 1A2, 1A3. So, 1A1, mandatory rebid with an advantage to the incumbent. 1A2, discretionary rebid with an advantage to the incumbent discretion as I can. Option 3, no rebid unless it is repeated material bridges. So, are there any questions or issues on that?

(Unintelligible).

Right. Option 3 is renewal expectancy, as there is no rebid.

(Jeff): So, this is (unintelligible). I'm just not sure what discretion means nor do I think the ICANN staff would understand much as you saying it's their choice, they can appoint whatever fact that they want, and nobody has impedance as to what fact this is are. Is that what we are saying?

(Jon): That is exactly what it says.

(Audrey): That is what option 2 says.

(Jeff): I mean that is the existing contract or the prior contract in 2001 round in the number of registry.

(Jon: Okay.

(Audrey): Okay. Is there anymore discussion on this? Is there any discussion? We've got some people laugh.

Marilyn Cade: (Unintelligible), what I'm going to do is...if people had to be declined (unintelligible) in (unintelligible) will include you.

(Audrey): (Unintelligible) just given an update.

If I could still have to show the (unintelligible).

So, I would like to go through them as we went through before on getting the levels of support. Again, it is not a vote. There are 3 options as there were before, but in this case, they've been clarified. So, we will see a C option.

We have change in... We have a 1A1, which was the mandatory, and the 1A2 which was discretionary rebid. Now, we had the 1A3, no rebid. Anyone uncomfortable, I mean I have heard one uncomfortable from the registry in terms of going through and haven't gotten a clarification setting up support. Are there any others who have an issue with checking the level of support at this point?

(Jeff): If I'm looking, this is Jeff, I'm looking at, I went back in the archives, I am looking at an email from (Milton) (unintelligible) from the noncommercial and he says the concept of rebid at ICANN's discretion

is completely contradictory to the notion of renewal expectancy. His emails talks about his idea of renewal expectancy as they contemplated was that there would be a rebid if, and only if, the incumbent registry has performed so poorly based on the explicit criteria in his contract that I can basically want to take the TLD away from it.

(Audrey): Right. And that is option 3 has indicated. Option 3 was no rebid unless...

((Crosstalk)).

(Jeff): No, no, no, no, no. There is a big difference. There is a big difference between a breach and performing poorly. If you performed poorly, you may not be breaching. Well, I am just saying, I do not think we should be so quick at this 3 formulations. In looking back at some of the emails, there were definitely (unintelligible) (Milwaukee) addressed from a noncommercial, but at least (Milton's) email on Wednesday, December 6th seems to indicate a completely different concept in what you are discussing out.

(Kristina): Audrey, this is Kristina. I pulled out an email that you and I had exchanged during the meeting with some different wording, and I do not know, if I have tried to forward that to you, I do not know if you've got it. But I think that is the wordings that (unintelligible) has been working on.

And in that one, you had, we had defined renewal expectancy (unintelligible) process where the current holder who is doing well is getting big head start renewal expectancy. It has the likelihood that if

all has gone well, then (unintelligible) and it should be renewed and presumption of renewal means that they made it to the end of the contract without any breach of contract or...

((Crosstalk))

Marilyn Cade: Yes. Thank you. But what I have been doing then was... And then there has been a lot of discussion on the lift afterwards where people had basically disagreed with maybe your expectancy presumption of renewal differences that I saw.

(Kristina): Okay.

Marilyn Cade: But we can... Let me see if I can pull that one up.

(Jeff): Well, (unintelligible) if I disagree with that. I disagree with what (Karen) just said about what a presumption of renewal is. Presumption of renewal is renewed and left breach, not renewed and left performed poorly against that is a breach.

Marilyn Cade: Well, that was what you read of renewal expectancy, but that (unintelligible) I will find on that definition.

(David): If we got send out (unintelligible) court from (Milton's) email, we did confirm that our option is the third one about material breaching. We do not think today (unintelligible) I don't know the term, I don't understand what...

((Crosstalk)).

Marilyn Cade: Yeah, that was seen from the drop sign. This seems to be there at one point and dealt with writings and then it did seem to disappear.

(David): Yeah, they do not talk about (unintelligible) promo if they could breach.

Marilyn Cade: So, that is where, as the discussion evolved, renewal expectancy and presumption of renewal really became identical. At least, that is what it appeared to various people in the discussion.

(Jeff): Okay. So, with what I heard (Karen) just say with presumption of renewal was different in...

(Audrey): Well, that was, that was, what I believed was the case before. No. Based on what (Milton) had written, that was the way it came out. And the fact it's not the definition they are using now.

Marilyn Cade: If we are being recorded, I think Jeff is referencing (Kristina from the IBC and not Karen), but I am not sure.

(Jeff): You are right. I apologize.

Marilyn Cade: Yeah, thank you.

(David): Okay. So, go over again what the 3 definitions are, then we are settled on that.

Marilyn Cade: Define that. I am trying to clarify that.



(David): There are the 3 reports. There are 4 in (unintelligible) there are 3 on the screen. What is the (ICC's) position? It sounds like it is a hybrid of the third option (unintelligible).

(Jon): That was always my understanding.

((Crosstalk)).

(Audrey): Okay. So...

Let me (unintelligible).

(Jeff): Well, let me ask (Kristina) a question. If there is poor performance, what would happen then, and then we would go to a discussion or a bid proper?

(Kristina): I am trying to get back to the email.

(Jeff): Because, then maybe you are just really saying number 2 and just modifying in saying discretionary based on poor performance and I would be happy that...

(Audrey): The identification of poor performance is indeed discretionary (unintelligible).

(Jeff): Exactly.

((Crosstalk))

(Jeff): (Unintelligible) if want to amend 2 just to say discretionary based on poor performance that would be acceptable argument and that would fit probably nicely with your position, (Kristina)?

(Kristina): Right. Well, it's true.

Marilyn Cade: Okay. Option 1 with the mandatory rebid. ((Crosstalk)).

(Audrey): Okay. So, option 1 is written as mandatory rebid with an advantage to the incumbent details on implementation issue that we may include guidance at typical (unintelligible). Option 2, a discretionary rebid say... Okay, now. This is the one what we need to add was...

(Jeff): It just says based on poor performance.

(Audrey): Based on poor performance with an advantage to the incumbent?

((Crosstalk))

(Audrey): So when is the determination is ICANN, but basically based on a determination of poor performance by ICANN.

((Crosstalk)).

Marilyn Cade: Yes, you are right. (unintelligible)

((Crosstalk))

(Audrey): (Unintelligible) of poor performance. Yes, thank you.

(Philip): (Unintelligible).

Marilyn Cade: But that is with - and I think that's really do those (unintelligible) in discussions, and I think where it gets confused is when we try to apply the name renewal expectancy. Presumption of renewal is I think where we confused (unintelligible) name.

Okay. So, option 2 was discretionary rebid based on ICANN's determination of poor performance with an advantage to the incumbent. Can we get rid of that?

(Jeff): So, let me ask you a clarifying question on number 2. So, if it is only based on poor performance, that is the only way I can count if there is a discretion. You cannot just say, "I do not like that company." It has to be documented poor performance.

(Audrey): Yeah. Actually, it's (unintelligible) in the way it is written, that is what it said, but that is not (unintelligible) so it was modified by (unintelligible).

Marilyn Cade: So, let say that I can discover the registry maybe. Then, the problem with their performance is that they're under criminal investigation?

(Audrey): That is not applicable.

(Jeff): And they seem to have proven guilty (unintelligible).

Marilyn Cade: Yeah.

(Jeff): If they are proven guilty, isn't that a breach of the contract.

Marilyn Cade: They transferred the operating license and the registry is still operating...

(Jeff): When you've suspicion of breach of contract, that those points that you do not have anything.

(Audrey): No. I am just pointing out that

((Crosstalk))

(Audrey): the use of term "poor performance."

Marilyn Cade: In fact, (unintelligible) is not here but (John) is. I am putting him on the spot. This poor performance is kind of an open...

(Jeff): There is about 15 things that are open about each of you.

(Audrey): I think what you are trying to generally do is come to a general understanding of the approach. I think it is very hard to argue specific points within general undefined language.

I mean, that is why we would have a full term that describes the vision that would relevant. I think, you know, if you are generally trying to reach where you were before, I understand what you are doing. If you are trying to get down to a level of being able to argue through what is good and bad within each, I think it is much more difficult unless you have greater definition.

(Jeff): Plain performance could be a lot of different factors. It could be business performance. It could be technical performance.

You could look at discretion and you could say discretion has a wider array of potential definition.

Woman: I'm not unhappy with other 20 (unintelligible) if you want and on the definition of repeated material (breaches), is there an existing definition of that?

(Jeff): I don't want this repeated material breach now. I think it's a presumption of renewal base on what's now in the ComNet, BizInfo.org, and mostly as sealed even. It's that what natural presumption of renewal is.

(Jon): Content of the material breach is...

(Jeff): Yeah, but there is more, Jon, right. Even if there is a repeated breach, there is still cure period and things like that.

(Jon): That's understandable. We're not talking about it...

I don't see this discussion as being a discussion of exactly what terms do you want it. What agreement has (unintelligible) formed, but as a general dialogue about guidelines.

Woman: There's a general guideline...

(David): Right. So, we'll just say presumption, I mean I think it generally...if you just say presumption of renewal as reflected in existing...and even in (on-site) agreements, ComNet or BizInfo, whatever.

Anything other than that, I have to go back and check with the constituencies because...

(Jon): I didn't follow what you...

(David): Yeah, the Third option which is presumption of renewal. The way the registry constituency considers that is presumption of renewal means exactly what's now in ComNet or BizInfo or if you put a difference, if you don't define it that way, and there is a different definition of presumption of renewal, then I have to go back to the constituency, and we'd have to discuss it all over again.

Marilyn Cade: Okay. Are you saying that there is no rebid unless the repeated material breach is not a sufficient statement?

(David): Correct.

Marilyn Cade: So you would need for it say, no rebid...

(Alan): Unless one of 3 provisions of breach, they are not cure, they get arbitration, they move arbitration and they're not...

(David): What I would just say is - no rebid as reflected in the language in the existing ComNet or BizInfo.

Marilyn Cade: Okay, is there any problem with defining it that way at this point since that was the intent of option 3 when we were talking about it was essentially status quo.

(Jon): Yeah. Well, all of the agreements are not the same. So, I'm not sure...

(Jeff): Yeah, I mean, you got to work some discretions with staff also. The purpose is this is a must term material breach...

Marilyn Cade: As defined in the contract.

(Jeff): But that's not what the registry constituency voted on. If you are going to define it differently, I got to go back because I would not agree to a summary, to your written summary of what you think that contract means.

Right?

Woman: So, Jeff, maybe, Marilyn, maybe that means that you will have to go back.

(Jeff): Well then I would say that there's another option, and the other option is presumption of renewal as drafted in existing. Even if you just want to put Com agreement, I'm fine with that because that's what we looked at the constituency.

(Lucia): You're asking us to create a precedence. Yes, this will create a precedence for all future registries, not only (unintelligible) and you're asking us to do that based on the Com agreement?

(Jeff): I'm telling you that what registry constituency voted on. What presumption of renewal meant to us when we voted was the language in the Com agreement.

(Jon): In the... let's clarify option, option 2 again because Marilyn and others have raised a good point. Poor performance or rather bad acts.

Woman: Yes.

(Jon): I would add...

(Denise): Is it good (unintelligible) protection here, the 3 options, the existing constituencies, they would split support across those options.

If on the basis that (unintelligible), there was a straw pole that have their support divided, you are not going to have majority support for any of the recommendations.

(David): But what if, if you can amend it and...

(Denise): That could be true. So...Exactly, so, (Ralph) could be helpful perhaps a (unintelligible) away, but an efficient way around this to say roughly way to support life will roughly each of those options and that will give you a quick determination about whether it worth considering the decision, because it is so diverse. You are not going to have majority support to present anyway.

(David): But if you can amend it that would be great.

(Denise): So, just give me the (unintelligible).

(David): ...or other benefits.

(Denise): Okay.



(Jeff): Let me ask the question. When it's presented to the council, are they going to vote on the recommendations or they just vote on the report as a whole? Marilyn?

Marilyn Cade: The council, first of all, has to hear the public comments. And the final report, we will have to take those into account, Jeff.

(Jeff): I'm not saying that they shouldn't listen to the public. My question was, is the council going to vote individually on the recommendation or they will vote on the report as a whole?

Marilyn Cade: I don't think they'd vote on the report as a whole, but council does whatever council wishes to do whether it's vote on the whole report or vote on parts of it.

(Denise): Just get it right because...

(Jeff): That's why it matters to me what...

(Lucia): Now this is bringing up the policy (department) rules.

Marilyn Cade: Who is next?

It can be modified. (Unintelligible)

: I meant (unintelligible). Oh, but he's in the later one...we certainly did.

(Denise): You can see the under section 10 there.

Marilyn Cade: What?

I'm sorry. Okay, yeah.

So, council deliberation. A) Upon receipt of a final report whether it's a result of past reports or otherwise, the council of chair should distribute the final to all council members because of the edge of the (unintelligible) there.

Comments, it's deliberation on the issue prior to formal reading, including the in-person meetings, conference calls, e-mail discussions, rather meet.

(Moderator): Just going make it easy to debate just to be there.

Marilyn Cade: The council may, you know, and basically, okay, they are going to talk about it a bunch. When the council will work towards achieving of super majority votes to present through the board, but it doesn't distinguish here whether it's the whole report. The council may have to choose this to listed opinions of outside advisers at final meeting. The opinions of advisers shall be relied upon by the council...as I say it goes of the edge there.

(Alan): Right. But although council can do what r it wants, if this is going to be a co-consensus policy? If any of these does have documentation other than the council voted by super majority.

The only point I'm getting at is that we really need to be precise here, and we can't say, you know, support for the general motion of this.

(Lucia): It does say that a copy of the minutes the council deliberations on policy issue including all opinions expressed during such deliberations accompanied by a description that is part of what it presented. Though certainly, it's more than just a report with the super majority or majority vote.

And as Marilyn had said, the council has in the past, put things up, divided them, voted separately on the menu then modified them. But all that information is what goes forward. That is an answer to the question.

(Jeff): I know you know anymore.

To be honest, this is just crazy, what's going on here, but...

Marilyn Cade: Okay, let's move to the straw pole now. We have the 3 options. Option 1, mandatory rebid.

Man: (Unintelligible), just before you do that. An open question, does it make, it looks like to make sense you would have a rebid as a result of probable (unintelligible) bad acts and yet you would still give an advantage to the incumbent company. So, that makes good sense?

Man: Good sense (unintelligible).

Marilyn Cade: It makes sense and it's been keeping with the previous...

Because all we did was amplify on what ICANN determination would be and an option...okay, so what I'm...

Man: Take it as a weak presumption of renewal.

(Audrey): So, we have the 3 options. I'm going to go through the options and on each option, I'm going to collect the support of the option as has been the practice and other people can support more than, I mean, prior to constituencies in the past. Did say yes to several options at the same time. It seems difficult but...

Well, they cannot this time, (Audrey).

(Audrey): They can at this time. Okay.

(Denise): Well, that's good. They could do whatever they like.

(Audrey): Exactly.

(Denise): But as long as they chose one.

(Audrey): Okay. So, going through. On option 1...So, well, wait a second. Okay. so I'll go through option 1, go through the constituencies, get the comments then 2, then 3 even though we're saying that. Okay. So, (BC) on option 1.

(Alistair): Based on the existing position of the BC, we continue to support option 1.

(Audrey): ISPC?

(Steve): ISPC would be to continue to support 1, but I would like Greg (Ruth) who is on the (unintelligible) has been following it more closely.

(Audrey): Greg, are you still there?

(Denise): (Unintelligible) and...

(Greg): Okay. I can't recognize with number 1.

(Audrey): Okay. And there'll be time to go back and...

(Greg): Okay, thanks.

(Audrey): IPC?

(Tony): No, I just could be...

Marilyn Cade: Steve, if you have those options up on the screen, (Audrey)?

(Audrey): Yes, option 1 at the moment was mandatory rebid with the advantage to the incumbent.

Marilyn Cade: Ah, no.

(Audrey): No. (NCUC)?

(Bruce): No.

(Audrey): Registrar?

(David): No.

(Audrey): Registry?

(Jeff): No.

(Audrey): Okay, then the 3 individuals, which would be (Sofia, myself, and Alan) because in the past, Brett had an expression also. So, Sofia, on option 1, you agree with it should be a mandatory rebid with the advantage to the incumbent. And Allan?

(Alan): No.

(Audrey): No. And (Lucia).

Okay, option 2. Was a discretionary rebid based on ICANN's determination of poor performance rather bad act with an advantage to the incumbent.

So, BC?

Marilyn Cade: Really done.

(Audrey): Okay, so it' only the nos.

Okay. So, NCUC, option 2?

(Greg): No.

(Audrey): Registrar?

(David): Yes.

(Audrey): Registry?

(Jeff): No.

(Audrey): Alan?

(Alan): Yes.

(Audrey): Okay.

(Denise): (Audrey), we're voting yes.

(Audrey): I'm sorry. Yes. And that's it. Okay. And now, going through option 3.

(Alan): How about yourself?

(Audrey): I voted yes from option 1. From NCUC?

(Greg): Yes, for 3.

(Audrey): Yes, for 3. Registry constituency?

(David): Yes.

(Audrey): And that does it. So on option 1, we get 1, 2. Two constituencies with 2 individuals. On option 2, we get 1, 2 constituencies with 1 individual. And option 3, we get 2 constituencies. So, we're...

(John): It looks like unfair.

(Audrey): Yes, it looks like unfair.

(John): But, you disagree?

(Audrey): Right.

(Jeff): Yes, exactly, you can analyze it.

(Audrey): Right. So that's basically...

(Lucia): That tells you. Wait a minute. Wait a minute. I thought you agreed that we could also go back and you know, you could have put up the public comment and say...

(Audrey): It's going to. Right. But at the moment, we stand in a position of imparity on all 3 options. Because 1 individual, one way or another is not enough to make a difference.

(Denise): That tells you then there isn't majority support to any.

(Jeff): At this point.

(Audrey): Right. There is not even medium support. All 3 of them have the next (position) which is some support. There is some support for all 3 and that's the best we can do on it. Okay.

(David): Lunch should have been ready...

(Audrey): Lunch isn't ready.



(David): No, it doesn't. I'll adapt.

(Audrey): All units come to the back stack (unintelligible) but it's too late or too early, whatever. Okay. Let me find the question.

What seems to be going on?

Is there anymore of this particular issue that we need to cover now?

Okay. So that was 3, 6 (unintelligible).

(John): Oh, will did that come as punch list put together now or are we...

(Audrey): We're back on the list that we put together at the beginning.

(John): Yeah, right.

(Audrey): Right. I just want to make sure that there'll be no more comments on this particular item before we move to office.

Yes, you have a comment?

(David): No. I wasn't really sure yet. It's only for a...

(Audrey): Oh. Okay.

(David): You want to say it?

(John): I'm not going to ask you for a date.

(Audrey): It sounds okay. I'm not paying attention.

(Audrey): Okay. Now, the next one I had here, and this was just a question that I had in the and...

139 when we were talking about. Well, this is all going to need to be rewritten. In summary there was the majority support for a policy guiding rules, and the registry agreement should be at reasonable length, so we made our proposed recommendation. We now have majority support, that remains as it is. Okay.

Okay, Section 4. IPC submitted proposed modification. Someone from the IPC speak to that one?

(Kristina): Sure, I will. What we had done is, in I-project, I'm going from the letter policy recommendation as opposed to the terms of reference.

The one that we had modified had originally read the right of renewal should be standardized for detail the registry agreements except where there is an exceptional situation, such as the situation of market dominant or market power, and our modification was essentially to just end that sentence after situation to eliminate such as the situation of market dominant or market power partly for clarification, purposes, and partly to add more flexibility.

(Audrey): (Unintelligible), I recommend (unintelligible) after the...(unintelligible) that they had taken is that they cake cracked, but this is something that basically just needs to be noted...

(Kristina): Sure.

(Audrey): ...in the comments. Now, where was that fit notated?

(Kristina): I'll just put it the (unintelligible) to the IPC provided comments and (unintelligible).

(Audrey): A footnote to...which number? Try to make sure that it's marked in there.

(Kristina): Everybody would come after a...

(Audrey): (Unintelligible) use for (unintelligible).

So, it's 4 point, would come after, it would be a new 4.5 with (unintelligible) or it might be part of 4.4.

(Unintelligible) all that critical work it gets...

(Moderator): (Unintelligible).

((Crosstalk))

(Audrey): 4.2, that looks like 4 constituents. (unintelligible).

(Jeff): Strike one up to where?

(Audrey): In 4 but we're in 1B.

(Denise): You two, with referencing (Audrey) and (Pia) and (Maureen) and now Alan is that I was not clear that they could express their view about the (unintelligible) to that view.

If were going to repeat then that's fine, but I'll have to go back and amend each of them. Each of those recommendations to include (Doria Greenburg Becolase, lalala) support the recommendation and a constituent is specific because that private chart is separate value to what we could consistently voted and what those individuals that we not normally had a vote. Instead, it...

(Audrey): I think, it might be adequate to just...my recommendation, I want to see how other people feel. Just put, you know, one of the individual participants supported or some of the parts you know or numbers, certainly listing us all by name would be hideous.

(Denise): Right.

(Pia): Come on, (Julia).

(Audrey): I think it's sufficient to just list, you know, because what really matter was not who, but that some of the individuals supported, didn't support, one individual supported, none of the individuals participating supported, that kind of language.

Does anyone? Yes, Steve.

Steve Metalitz: I'm having a little difficulty reading the part, straw poll chart.

(Jeff): That's one day 1 and 2.

Steve Metalitz: Yeah. But if I'm reading it correctly then I think, the pros in 4.3 may not be correct, because I think the 3 constituencies supported that view.

(Jeff): If 1B2...

(Lucia): Could that be taken out?

(Audrey): Bring up the chart so that we can see it present without the hash mark.

(Greg): ...one member of the nominee...

(Denise): 1.2.

(Audrey): Only, we got the hash mark there.

Okay. What was the (unintelligible) an indication of?

Woman: Abstain?

Man: Abstain. But from what I just heard from what (Kristina) just said, she said that art that IPC position was verbatim what it states at 4.3.

(Audrey): Okay. That's one of the things when we were saying we need to clarify all the constituencies' positions.

So, in that case you are saying that the IPC should be a...

((Crosstalk))

- (Jeff): I will refer to (Kristina) if she exercises the vote, but if I understood it correctly what you were saying then that is consistent with 4.3.
- (Kristina): Right. As written it is 4.3, the difference obviously between how we voted and how the other constituencies are voting. Yes, it's that... We didn't vote on that additional illustration language referring to market dominance or market power and I suspect that the other constituencies...
- (Audrey): Yeah and I guess the point we had at that time, and I don't know whether you want to indicate constituency support for this choice was that you couldn't vote on modified language. You can only vote on the language that was there. So...
- (Jeff): But the text on the report didn't state the modified language.
- Yes. I think that is correct – 4.3. They will accept when there is an exceptional situation. Modification...
- (Audrey): Right. But when we put the proposal at the top, it will include all the text that you are not accepting.
- (Jeff): Okay, but then maybe 4.3 is voted out.
- (Audrey): Right, then 4.3 needs to sell that out. Right.
- (Kristina): And I have another question and ((Crosstalk)).
- (Audrey): Before we move on with that (unintelligible)...

(Denise): But I just can't leave up the chart for now and I can't leave up the chart for a second - (unintelligible). How do you want your vote recorded in that chart?

(Audrey): And still not abstain.

(Jeff): Yeah, I think this chart of support. I was mistaken when I said the chart should be changed, but I think it had to be changed.

(Audrey): At 4.3.

((Crosstalk))

(Jeff): Yeah, I think the chart is supposed to be...

((Crosstalk))

(Audrey): (Unintelligible) I told that's a snapshot and the voting was on unmodified language.

(Kristina): So, it (unintelligible) at 4.3.

(Jeff): I think 4.3 needs to stay after exceptional situation that was such as what the constituency wanted.

(Audrey): And that's where the footnotes should actually go. Probably in the text. Because it said in the text, the constituency supported to abstain, but it doesn't who would vote. Does it need to say that? And that is true on 4.3 as well.

(Kristina): It looks like the IMP...

(Audrey): You know, abstention was the vote.

((Crosstalk))

(Kristina): That's why IP should vote and...

(David): And at the global change in the text you may have presented to state two constituencies. It will probably make sense to identify between the two.

((Crosstalk))

(Audrey): On the chart, it shows that the (BC) voted, (IPC) didn't vote.

ISPPC abstained.

((Crosstalk))

(Audrey): So BC s listed as voting. ISPC is listed as voting. IPC is listed as abstaining.

No, I'm only one. I would say I'm only two. Correct.

That would....there was no vote there. So, I guess we need to confirm whether there was no vote there or it just didn't get captured.

(Jeff): We had an option?



(Audrey): It's an option, right. We will vote...

((Crosstalk)).

(David): We abstain on both.

(Audrey): You abstain on both. Okay. Right. That makes sense.

((Crosstalk))

(Audrey): Everybody either abstained or has a vote lifted in one of the two. Except from (Maureen and Lynette). Okay, we covered this one. Okay, I was just informed that lunch is ready.

(Kristina): Thank God.

(Audrey): I've just been told that lunch is ready. I know, some of us would really want to get out of the room briefly in any case. So I suggest that we as of end of this particular issue, does anybody want to comment more on this particular issue. No? Then I think we will take a lunch break. When do we come back from lunch? At 1:30?

(Kristina): Anytime.

(Audrey): 25 minutes? Okay, so we'll come back at 1:30. I want to thank the people on the phone call. Hopefully, you'll be back after you've had whatever time zone break is appropriate.

(Jeff): Hey, (Audrey), this is Jeff. Unfortunately, I am not going to be able to be back either later, today or tomorrow.

(Audrey): Okay. I'm going to give it...

((Crosstalk))

(Audrey): You are definitely see the changes, document you please, you know, with your comment and nobody knows that all. Thanks for being here this morning and we will be back at 1:30 our time. I'd like to ask the recording to be stopped as of now.

Yeah, you all just don't know me well enough yet to thank me.

(Kristina): Well, we should probably take the time while you can then.

(Audrey): I'm running with it.

(Kristina): I always say that once people really get to know me they will say nice things to me. Okay, so we go back to put up on (unintelligible) and (Allan), we will have half these (unintelligible).

Man: (Allan) gave me a proxy.

(Audrey): Yeah, right. And you gave (unintelligible).

((Crosstalk))

(Audrey): Okay, so were at part II. It was a merge of 2A1 and 2A2. That should reflect it. I'm not sure. I'll just stand up with you. And that was Marilyn, was that correct? Where is Marilyn?

While I was still trying to understand it, it was Marilyn's point...

(Kristina): (Unintelligible).

(Denise): (Unintelligible) It was a previous (unintelligible) but you've done that.  
And if it got you at the end (unintelligible).

(Audrey): You are sure that before we move on. Is he coming?

(Denise): Yeah, here.

(Audrey): Right now, I'm basically wrapped to part II which is a merge of 2A1 and  
2A2 text as reflected and I'm not sure what you meant.

(Denise): In the beginning of the issue you have said that you were probably  
(unintelligible)? And you said 4.3 is definite?

(Kristina): Are you talking about the (unintelligible)?

(Audrey): No, that was actually the next one.

((Crosstalk))

(Audrey): We placed 'approved' as appropriate in 52, 53 as the next one.

((Crosstalk))

(Denise): I didn't hear. I didn't understand.

(Audrey): (Unintelligible) one which was 52 and merge of 2A1 and 2A2. 'Text as reflected' is what I wrote down based on the comments here.  
(unintelligible).

Man: I have a question about the basic position on 2A3.

(Audrey): Let me first clear up 2A1 and 2A2.

(Denise): (Unintelligible) the man who's saying that.

(Audrey): I don't either. I couldn't have written it down completely 'no words to say'.

(Denise): But if I think about it, why wouldn't you merge A1 and A2?

(Audrey): As I said, I was trying to just take down points for now thinking about them, but if there's nothing we can move on for now and come back for whatever you find ...

(Denise): (Unintelligible) wanted to cover.

(Audrey): Okay, (Alice) you wanted to cover something in 53.

Man: Yes. Well, it just feels 53, if you are going to take to the chart, it's the basic position and (Marilyn) wrote the record to it so she can correct me, but if this basic position works in 5 of 2A3 which is the present limitations these policies are approved and to continue... right. But I thought (Marilyn) is posing favor of 2A1 and continues to pose these limitations are inappropriate.

(Audrey): It reached the point but we were having spread out to the board and based on the BC positions they have taken that allowed us to move according to the more consistency of.

Man: Okay, fine.

(Audrey): 2A3 is...

(Kristina): Okay.

(Audrey): It's appropriate and to continue.

(Denise): I don't have any (unintelligible)?

(Audrey): You should've said that (Alice) is right, that early on I was trying to move to the rest of the world to my direction.

(Denise): The I didn't have a position for the IMP.

(Audrey): Is there? Okay, so is there provision for the IMP during this one?

(Denise): But (Greg)...

(Audrey): Now, (Greg) is not on but do you want that provision to be recorded?

(Marilyn Cade): Yes, you can. Up in the topic where there's a free period there and the IMP can express a tradition on the recommendations and I'll take it down too.

(Audrey): Have you met him (unintelligible).

(Denise): No heads. I can see freely if you're awoken. And the tradition is let's see if it's going to work out.

Man: There seems to be a problem with the chart because at least my printout, I think 2A1 might be pending by IPC probably?

(Denise): It's okay, Alistair, I just put (unintelligible).

Man: Okay.

Man: We will divert to 5.3. or...

(Audrey): Yes, 5.3. It says, we have 3 choices which is the consent of policy (unintelligible) inappropriate. We have the policies (unintelligible) registry and presently done (unintelligible) status quo (unintelligible).

(Kristina): Now I'm looking at this and maybe (Alice) may be right. There may be something wrong with our vote.

(Audrey): I have to look.

(Jeff): Do I have to go to one of those?

(Audrey): Yes, you do.

Marilyn Cade: I would have thought that we would have voted for a two-way as well.

(Jeff): Really? Really? That was my regulation but the nicest thing. Now, I think what we should do is go back and discussing while our limitation were in price.

(Audrey): Why?

(Jeff): Because I think (unintelligible) in the discussion is why limitation were in place.

(Audrey): Okay, go ahead.

((Crosstalk))

Marilyn Cade: Okay, I can explain to that and then the (amulin) was typed (BC) tasked on that as well.

(Jon): Excuse me, can you tell me what letter that corresponds?

Marilyn Cade: EB 16? I don't know.

(Jon): You know you can tell me right now.

Marilyn Cade: What time be good to get it?

(Audrey): I'll come back to it then to it then...I brought it here.

Marilyn Cade: Right.

(Audrey): When it is done, it is going to be having the things in the past.

Marilyn Cade: You can leave on (Audrey) if you want.

(Audrey): Well, except that you need to be in both places at the same time.

Okay, the next one was covered which was replaced, approved with appropriate in 5253. And the next one was 63, not clear that it needs the sponsors in meeting at it.

Marilyn Cade: If the choice is to support the recommendations of certain policy making responsibility, it should be delegated to the BCLB operator.

So, does this mean to be amended you say, and be delegated to the sponsors of BCLB operators?

Is that a sufficient change to clarify that issue? Yes? Anyone not think so?

(Kristina): I've got no any questions.

Marilyn Cade: Okay, (Ruth) can you add that change to 63?

(Audrey): Yes.

((Crosstalk))

(Jon): Is it done right?

(Unintelligible).

Marilyn Cade: Yes.



(Audrey): Okay, so 63. We need to add the word sponsors, you ordered that one?

((Crosstalk))

Okay.

(Jeff): Next one was 72 ,76 conflict. Did they abstain or support?

(IPC) abstained, it needs clarification.

Marilyn Cade: I just put attention to the agency and read just like the other (unintelligible) IPC abstained regarding these recommendations.

((Crosstalk))

(Audrey): Is 76 still missing?

Marilyn Cade: Okay it is fine.

That is right, and now we deal with the question.

(Audrey): That was the general comment from NomCom, I mean not necessarily NomCom, but some of the individual participants.

So that I can (unintelligible).

Marilyn Cade: They abstained it anyway.

(Audrey): They do?

Marilyn Cade: Yes.

Next one.

(Audrey): Okay, the next one was 72, that (unintelligible) provision is they did not vote as adequately as propositioned.

Marilyn Cade: Yes, so we will place more PC.

(Audrey): To indicate exactly what needs to be there, so then it does adequately expressed.

Marilyn Cade: We can go back on that later.

(Audrey): Okay, but really soon, since shortly after this meeting, it seems to be updated.

Marilyn Cade: I did not say another day, I mean later in the day.

Marilyn Cade: Did you have at least response now on text that you can go there?

Basically, it says the NCC did not support either recommendation.

(Jeff): Are you (unintelligible) of 76 or 72?

Marilyn Cade: Yes, 76. Oh no, 72, I am sorry. It is supposed to be 72.

The NCC did not vote on the proposed policy recommendation but she didn't say.

(David): Not because (unintelligible) any reference to 76?

Marilyn Cade: No, okay. That stabilize the 76 yet?

(Jeff): I think 76 is the problematic one.

But since 76 (unintelligible) did not vote out the recommendation, I thought the NCC rates the board of recommendation 3A2.

(Audrey): On the chart that certainly the way it looks, 3A2?

(Jeff): Completely, I mean the NCC, the stand you did are premature are forming like policy, is that lined with the 7.5?

(Audrey): It does, it sounds 3A2.

Now, there is a problem in the text.

Marilyn Cade: It is void?

(Audrey): 3A2?

Marilyn Cade: Yes.

(Audrey): Okay, are you polished. It still is not void. In B2? F. In 4A.

And where is?

(Jeff): I think this is 3.

(Audrey): Yeah, this is 3 we are talking about.

Marilyn Cade: So we need to get this thing.

(Audrey): It's going to be 3.

Marilyn Cade: Let us look at A.

Marilyn Cade: Do we know what the rest of the day today?

(Audrey): A number recommendation 3A.

Okay, 3A1 was the complicated one with the sequence chart.

And option 2 was the MTC of architect. It is premature to formulate policy in the area I think, without having the benefit of an intensive focus study of the of this compact.

Marilyn Cade: I believe in (unintelligible) was deprived.

((Crosstalk))

(Audrey): In essence that a no vote to 3A1. So, therefore it should be qualified if they voted against it because they believe that a full policy, so I think there's effect on that. Is that satisfactory?

Marilyn Cade: But it cannot be of (unintelligible) more private today.

(Audrey): At 3A2, right. Because that is basically what was it that they did.

Right.

((Crosstalk))

Marilyn Cade: I think that's fine with everyone?

(David): Yeah, just to be clear, so 3A1 is whether there should be a policy on flood control or not?

And in 3B1, they too have the option as to what to do? And 3B1 states (unintelligible) and 3B2 is the (unintelligible) for using proposal.

And so, it should be, as I understand it, the ITC in the table is abstaining on both 3A1 and 3B1 and B2? And I think the table is correct with the entry using to 3A1 and 3B2.

Marilyn Cade: (Unintelligible) voting 3B2 and 3A1. So the ITC is abstaining on both. Is that true? Is that confirmed?

(Audrey): They did not vote on either.

Marilyn Cade: Oh okay,

(Audrey): I've got that tape to consider him.

(Kristina): (Rey), Can you tell about the price control that we have scanned above?

Marilyn Cade: It has to be B2 and it has to be abstained? B2 and...

(Jeff): They are blind.

(Audrey): They did not vote.

Marilyn Cade: Oh, none of the individual has voted.

Okay, moving on. Is this one has been clarified completely?

It is in the chart.

Okay, the next point was the NomCom member expression of support not to be spoken about in terms of a general comment.

And then the next one is 84 with abbreviations, it should be expanded.

(Audrey): I thought, or maybe we listed was 84 and I thought that (unintelligible) clarification on 4A1. Am I right?

(Jeff): Yeah, that's right. I thought we said that was a year.

(Audrey): (Unintelligible) B2 is requesting it.

(Jeff): Yeah, I think it should be five constituencies now for 4A1 which is paragraph 8.3. So it should read 5 not 4 constituencies.

(Audrey): Okay, that is (unintelligible).

Marilyn Cade: Please let me change the text in the right front page.

Yeah. A13 now?

(Audrey): 8.3.

They seem to be conducting (unintelligible). Okay, I think that brings us to 5.

I think the other comment what was general which we dealt with was an 8.5.

Marilyn Cade: How about there are (unintelligible) about 4A, 4B?

(Audrey): They haven't, yeah.

Marilyn Cade: Yeah, but that was sort of a general comment. I think she was going to go through on all of them.

((Crosstalk))

(Audrey): And add the individual position to each and every one of us. But I think that was accepted and sort of a global change.

Marilyn Cade: I apologize, unfortunately (unintelligible). But I was the (repertoire ) after reference 6. This is only two paragraphs.

(Audrey): Okay, yeah.

(Jeff): So if you want to skip by which I will still be along the discussion and go to six, now I can answer any questions with (unintelligible) if anyone has any.

Marilyn Cade: Okay.

(Jeff): Before I leave.

(Audrey): Are there any questions on text (unintelligible) report? Any, we recorded at 101.

Marilyn Cade: We placed (unintelligible) with recommendation and that is done.

Any other questions about that one?

(Audrey): Now, before you leave on question 5, is your constituency has a (unintelligible), we going to do an draw a poll on five.

I want to be clear whether the source had a...

(Jeff): Isn't it hard to have a position until we get all the information.

(Audrey): The position we had was that we needed and the recommended process to put it up and now you are leaving.

(Jeff): We some tips that we put on to the lift.

(Audrey): Right.

(Jeff): That is staying there for a while.



Marilyn Cade: Technically, it was just a task that I have to do before I go to their constituencies and get (unintelligible).

(Audrey): I have got it. We cannot just unplug from there.

Marilyn Cade: Do not outsource from there.

We have sent out an email and we have discussed what was it and...

(Audrey): (Unintelligible).

Which basically, that in order to determine whether there is a need for a new set policy and collection of (unintelligible) towards a new data. (unintelligible) complicated with conferences with other than that which was collected.

The expression needs for properly targeted study by an independent third party on the data collected and used it to which it is placed.

The study should provide appropriate safeguard to protect any data provided. For the purposes of the study and the confidentiality of which registry or other groups provides the data.

The planning of the study should be published and available for public review.

And that is (unintelligible) statement of work should be developed by the DNS council with appropriate public review. The covered analysis of the concerned for data collection and views.

The practice involved in collection and the use of data, including traffic data and availability when appropriate but non discriminatory acts with that data.

It is recommended that a current process document is supposed to be the best practices. Documenting developed describing the current registry processes for the collection of data and as use of that data.

For example, but not limited to operating the registry, comparing market materials, promote registration of the main name, having of no returns, insuring the integrity of the registry was the DNS.

This report should be available to the group during the internal study and should be made available to the public for comments.

After examining the results of the independent study, and the public discussion is recommended above. The (GSO) council should examine the findings and determine what is any sort of policy process is required.

And that basically came out of the last meeting, sort of a long discussion, and then I put that one out and after all of the constituency to basically supplied and what we had said is, if we had a full report from the registry that would make that null and void because we did not leave to do nothing that would have answered the questions involved.

But the request has been to get the constituency to position on that as the recommendation four or five.

(Jeff): Please support that, I mean, our clear position was that, if there should be a policy regarding this issue and we have not seen any more information to do that.

We do not have it yet.

(Audrey): Okay, please support that, I mean, our clear position was that, if there should be a policy regarding this issue and we have not seen information to do that. We do not have it yet.

Marilyn Cade: Okay, for the (unintelligible) constituency support that? It is a good point to go through and text the rest of the constituencies on the point or would people like more discussion of this?

No issue.

(Audrey): Do we have a deal? Because I cannot remember what date.

(Kristina): I do not remember but I bet I can find it.

I just sent you the text and find the email that it is in. Obviously, on the (unintelligible) call we did some drafting on an early version of this actually in one of our working groups but we did in a transcribe in the early (unintelligible).

Marilyn Cade: But the final one that people were asked to comments on, I actually write out as an email.

(Audrey): We disagreed on that.

Marilyn Cade: But the final one that people were asked to comments on, I actually write out as an email.

(Audrey): We disagreed on that.

(Jeff): Marilyn, every email was actually incorporated the (comments) that you have provided.

(Kristina): Right, right. I was just going to say that I think the key positions early on was that we supported the need for a policy in this area but we also support the need for more information and lacking the (unintelligible) the leader of the rapporteur group, we supported the need for the task force considering that with more information, backing that more information.

This key position would be to support the need for a study.

(Audrey): Okay, so I guess going through the (ICT) constituency have a position on this one?

(Jeff): I believe it was requested.

(Denise): Oh that's right. You actually are the constituency that sent us in my email.

We support, yes. Thank you. Forgive me for not remembering that you had actually sent the email.

Okay, I can see constituency.

(Audrey): All right, this is where I get confused. Is this what we originally called (Q tube)

((Crosstalk))

Marilyn Cade: Right, I am sorry. I don't know that I have actually heard back from anybody else.

(Audrey): It was the sixth of February. We are going to email for change proposal to.

(Denise): No, no. I have seen it. I circulated. I just do not know if anybody has got back this.

Marilyn Cade: Okay, so that was not being so much of an abstained vote yet?

(Audrey): Right.

Marilyn Cade: Okay. (NCUC)?

(Jeff): No votes yet.

(Denise): Okay. The registrar constituency got a yes? The registry constituency?

(David): We have not voted yet.

(Denise): Okay. So you did not vote yet? Okay I vote yes, and Allen is not here at the moment, so (unintelligible).

(Audrey): Have you written it all (unintelligible).

Marilyn Cade: I wrote, yes to BC, yes for ISQC, did not vote for IPC.

((Crosstalk))

(Audrey): He did not vote for...

Marilyn Cade: Sorry...sorry...I'm sorry.

(Audrey): I could see it all likely...

Marilyn Cade: They just have to put it in 2?

(Audrey): (Unintelligible) supported registry is not yet, I supported. (Sophia) and (Alan) have not commented yet.

Marilyn Cade: (Unintelligible).

(Denise): There is no comment yet. No vote yet. No, it's a question of support or not support.

Okay, now...

(Audrey): And you said yes?

Marilyn Cade: And I said yes. Okay. They've got support but we don't know what they don't have (unintelligible).

(Audrey): Can we get a commitment from the computers that I have (unintelligible) to come back very early next week (unintelligible) the meetings are. If possible to do it by email that would be helpful?

Marilyn Cade: Okay, but you don't want to hold up?

(Audrey): Nope. I did not want to hold up.

Marilyn Cade: Right. And as (unintelligible) the moment, one could already say that there is support for this, it may change the phone support but at the moment there is support.

Well, it could go down but then it would, like anything could but...

Sorry Steve.

(Audrey): What are we today? Sunday? Sunday today?

Marilyn Cade: I want to clean up the document and have it ready for the (unintelligible) clinic by the end of next week. (unintelligible).

(Audrey): Instead, we'll going to have to talk about the date the physical exam would be.

(Denise): I would like to have it ready. It's got to have an internal (unintelligible).

Marilyn Cade: So, you've got next week?

(Audrey): Yeah, we still need to talk about this (unintelligible).

Marilyn Cade: To the public (unintelligible), I guess?

(Audrey): Sought public comments this period ending enough, you are being able to comment.

(Kristina): Could you open notes as we get on the (unintelligible) market calendar. If we do amend the calendar, then I have to get Glen to amend it because the (unintelligible) collective has been...

Marilyn Cade: (Unintelligible) will try to work out those dates.

(Audrey): Right, that's what I meant.

(Kristina): (Unintelligible).

So, we just have to remember their name in the calendar if the date (unintelligible).

(Audrey): Okay. So now, they've made it look at 5 and see if there is more we need to

do in terms of (unintelligible). And still, there was. (unintelligible).

Marilyn Cade: (Unintelligible).

(Audrey): Okay. So then will I be coming. Okay. So then...

Marilyn Cade: (Unintelligible) by email.

(Audrey): Yup. That's as far I have to say. That's is as far as we going to get.



Marilyn Cade: And then I can (unintelligible) this out.

Woman: Right. You could also take out the early version of the recommended.

(Denise): (Unintelligible).

Marilyn Cade: And then I can take that out.

(Audrey): That is my notes.

Marilyn Cade: But basically, we need to add in a recommendation, and then we need to add in the level of support in the country.

(Kristina): Yes, it's in already. I have already copied (unintelligible).

(Audrey): Oh, okay. (unintelligible).

So, the next comment I have listed refers to 84 but referred to a (unintelligible) of being standard which discussed that.

Next comment referred to 93, and the word is (unintelligible) being the option to put on chair election which we already did.

At 95, add recommendation and results roll call.

Okay, that's well done. And one replaced chief recommendation that we've done though it is the question about (unintelligible) taking on the recommendation that we decided about wasn't relevant. If that was the

statement and if that was the recommendation, so be it. Then I should say now or the council could say silly.

And (unintelligible), which annex 1 this include (unintelligible) modified timeline. Then, we have the whole discussion about leaving the opposition aside. So, who is no and who has that issue?

Marilyn Cade: No, I have already taken that.

(Kristina): Oh, you've already taken that up? Okay. I guess that's not an issue anymore.

(Audrey): That's we've been trying to see is that don't put that (unintelligible) to say what it wants to do?

Marilyn Cade: Okay fine. I did notice that there have been results. Okay, that (unintelligible) tried to be corrected.

(Kristina): Yeah. It would be great if anyone could just go through (unintelligible) list and updated version of (unintelligible). This is to where it is now. It would be great if you could just take a look at it for the next (unintelligible) that we have included but if they had an option to roll call that (unintelligible), it would be (unintelligible).

(Denise): Okay. So that brings this so that we end up the comments that I have listed. Now, there are other issues you wanted to go through?

(Audrey): (Unintelligible) line, (Cristina)?

(Kristina): This is Kristina. I just want to let you know I am going to have the sample.

(Audrey): Okay. Thank you for being here.

Kristina: Oh, you are very welcome (unintelligible). Bye, bye.

Marilyn Cade: Just a question (unintelligible). The table that (unintelligible) in the issues support like this one says, it lists 8 of the legitimate registry agreements, and it looks that the 10 did not (unintelligible) in the highest level and it says what they (unintelligible).

We want that chart both (unintelligible) as a background for (unintelligible) information. You talked about the training of the (unintelligible) difference in the background document?

(Jeff): You know that version is no longer current.

Marilyn Cade: You can (unintelligible) view once in it.

(Jeff): Right.

Marilyn Cade: Yeah.

Is it okay if (unintelligible).

(Jeff): We could certainly update if they wouldn't want to put that on.

Marilyn Cade: But I'm glad you're saying that John because the updated (unintelligible) put in. It did work (unintelligible) if you could

(unintelligible) to tell the (unintelligible) or what this (unintelligible) the agreement then, if it's correct, it will be corrected. (unintelligible).

And then my other (unintelligible) was on the monthly calendar.

Okay, well yeah, that was the next thing on the agenda was, if we've got no more comments on the document as it stands at the moment, then we move on the next thing on the agenda which was calendar and meetings we've had.

So, before closing up this part of the agenda, is anyone else has any questions, issues, whatever about the document? Obviously, there will be chances to comment on the next portion, but...

Okay. So now, basically, there is the agreement on public comment. Production of panel report, central of meeting, (unintelligible), Sunday in (unintelligible).

Alan asked you the questions since you were here. We were just leaving the discussion of the report. Do we have anymore issues? That is why I'm here. I am giving you the last call on it for the moment. Do we have any other issues?

(Audrey): I was to try if any other issue?

(David): I don't think so, (unintelligible).

(Denise): The only other thing that I had (unintelligible) concept was under the idea of this (unintelligible) information about (unintelligible). If we need to go in.

((Crosstalk))

(Audrey): Actually, I have one other thing I wanted to listen is on... I can't say what place he is on. It is under 4D in the discussion that is roughly 42 of the earlier version. And I just wanted to ask with, it says (unintelligible), it is clear that I can (unintelligible) process that is extremely large and complex that is worthy of details, analysis, and review in a separate multi-stakeholder (unintelligible).

It does not say that (unintelligible).

((Crosstalk))

(Audrey): ...the frequency of things of Day 2 (unintelligible), but it is just the kind of them.

((Crosstalk))

Which completes the (unintelligible) the statement.

Marilyn Cade: (Unintelligible).

(Audrey): Then over under 5 and (unintelligible) 5A and 5D. In the question that we made open, though (unintelligible) this may have closed (unintelligible) it is under 5, that we... however, there was support and (unintelligible) from whom.

Marilyn Cade: I just have to leave it to you now.

(Audrey): Okay.

Marilyn Cade: That is my chance that I could comment to the group.

(Denise): What should have be in the policy is that it is (unintelligible) of the policy, CMD is what has belonged that...

(Audrey): I just want to be sure that (unintelligible).

Marilyn Cade: Okay. So we will close it now with a backgrounder, and what we do next. I am actually quite depressed about (unintelligible).

(Audrey): Other comment? (Unintelligible).

Marilyn Cade: Okay.

(Denise): As you always explained how this date ended up on a condo, if you wish, because we have to unravel it?

When we (unintelligible), Glen and I will be the whole lot of (unintelligible) opinion, when he could have (unintelligible) when things would happen by when this is completely (unintelligible) then it would close. The reason why it was there was the picture is far away from the (unintelligible) from (unintelligible) public comment in it, to release the draft for the (unintelligible).

So, is this would mean that (unintelligible) public comment (unintelligible).

((Crosstalk)).

(Audrey): Well actually, that's a question. I mean, I would like to do that in here but if it's not, this is a draft of the panel report we have. We can risk the report as it is, though it is not vote yet with the footnote thing that is pending and...

Marilyn Cade: Excuse me again, that would mean today is Saturday, and I (unintelligible) until Monday 6 o'clock in the evening.

((Crosstalk))

(David): That's what you're (unintelligible) give you back on Monday.  
(unintelligible) she was heading off somewhere.

(Audrey): No, (unintelligible), so that means, that is not feasible for me but it's feasible (unintelligible) come that week, that's on Friday.

Marilyn Cade: Okay. The only thing that earns our company is that we are shortening the gap between the Saturday when we would meet and such which is as much your issue as someone else...

(Audrey): So we will take the assumption for that part of our meeting because there would have to be candidates?

Marilyn Cade: Every Saturday or Sunday and I don't know about the scheduling.

(Denise): What I know about the schedule is that the council definitely have a elongated consultations in the middle of Saturday with the (unintelligible) principles which is like, I think a 2-1/2 hours I think. (unintelligible).

(Unintelligible) was very pleased with the consultation.

(David): If this is we're talking, I can have this publish the schedule for the meeting (unintelligible). It does not fit the pass of data made between the (unintelligible) that night. It started the whole day closed meeting of the (unintelligible) group and on Sunday, it's good to have a closed meeting as well (unintelligible) schedule (unintelligible).

And then on Monday, there is a public forum (unintelligible) between 2 p.m. and 6 p.m. on (unintelligible).

(Audrey): I said Saturday and Sunday, there would be presumption that there would be probably various (unintelligible) at forms working through.

((Crosstalk))

(Jon): And could you (unintelligible) the issue of (unintelligible) depending on (unintelligible). I think what we need to do is going to lock down a (unintelligible) with the (unintelligible) on Saturday and Sunday and we will go in it.

(Audrey): So I am presupposing a Saturday 2-hour instead of a Sunday 2-hour, it doesn't make a difference to me as long as we have a significant block.

Marilyn Cade: I suppose that what will happen if we do the public comment period beginning whenever, it doesn't matter that it is absolutely close.

(Denise): This is fine so (unintelligible).

(Audrey): You will have done every (unintelligible) document.



Marilyn Cade: I can put comments in it as they come in.

(Audrey): So (unintelligible) we need to be close?

Marilyn Cade: Yeah.

(Denise): Yeah. Because at that meeting is when we want to vote. Then that close the report to the council. I don't think we can do that if the commentator...

((Crosstalk))

(Audrey): What about switching it to the aims of the meeting to decide then? ((Crosstalk)). Since that will give you another week.

Marilyn Cade: No we want to give it to the council during the meeting.

(Denise): Could I just have the (unintelligible) the timing...

(Audrey): It's known. I am looking at the calendar. So (unintelligible) that possibly to give you the report with or without those, could be done on Friday? That could be post to the public comment?

((Crosstalk))

Marilyn Cade: The 21-day, 23 days in Friday ((Crosstalk)).

(Audrey): Okay. Maybe the 23rd.

Marilyn Cade: Okay. So if you got the public comment, it will be going into your working section on Saturday in lieu with the trying to examine the

public comments into offensive counts (unintelligible) adjustments to your report, and then do what?

(Audrey): Yeah. That's it. We have to... I'm not sure how we scheduled the (unintelligible) in terms of delivering its accounts (unintelligible) and then to cancel those. Are we having any open discussion of this during meeting? I don't know.

Marilyn Cade: I would have assumed (unintelligible) account forms. I even had this before on that public comment to normally it would take public comments normally at an (unintelligible).

The council public form would normally take (unintelligible).

(Audrey): (Unintelligible) We voted on it, it delivered the council, so then the public forum with the comments to the council on this report and then the council would take it up whenever the council (unintelligible) to have on their next meeting. That's works. (unintelligible)

Marilyn Cade: Basically those 20-day comment period would end on the 23rd, I did not want to come out now. We the (unintelligible) will vote on it, either this Saturday or the Sunday depending upon whichever is what we got. We would then have any, assumed that we approved (unintelligible) to the council, we would have delivered it to the council by that time. The council would then include discussion of it in the open forum, and then probably put it on its agenda for a following meeting for discussion.

(Audrey): I'm just going to mention one thing that's probably (unintelligible). That's going to mean that (unintelligible) someone going to be summarizing the public comment so that when you go in to Saturday, the public comment summarized for the (unintelligible).

((Crosstalk))

Marilyn Cade: (Unintelligible) But in the past, when we (unintelligible) comment today, is that they haven't (unintelligible) well (unintelligible)

But other public comment (unintelligible) for example with the (unintelligible) have been actually quite easy to do if you set it up to public post period that says the (unintelligible). If you have any comments on this.

So if you (unintelligible), then that seem to be difficult to correlate (unintelligible) together. But if its (unintelligible) and people are (unintelligible) then it is much easier to do it.

(Jeff): I thought we were just putting up a report there for...?

Marilyn Cade: Oh, no. (unintelligible). ((Crosstalk)).

(Audrey): (Unintelligible) comment on the recommendation. ((Crosstalk))

Marilyn Cade: And that's going to have to be written so I think (unintelligible) it's a good question about any complaining public comments (unintelligible).

(Audrey): Copy will be given. That is the other thing that is equal on this Taskforce need to build their assumption.

(Jeff): We need to start early. No work.

(Audrey): (Unintelligible) was also allow separation time for both council were it goes into its (unintelligible).

Marilyn Cade: Just backing it up leaving two hours on Saturday morning that could be able (unintelligible) on that morning.

(Jon): We have a need to start early. So the council can still have time for (unintelligible) for the dialogue.

(Jeff): So we need another Saturday. Can we do it on Sunday?

(Audrey): Or can you do it Saturday afternoon after (unintelligible)

((Crosstalk))

Marilyn Cade: .... This thing done as the first thing on the weekend.

Woman: If it is that pressing we have to have voted on it before the Council meeting on a Thursday and delivered it to them. Well, before the open forum.

(Denise): Actually, it has to be out in public.

(Audrey): Okay, and I will be the (unintelligible) that means that you would need to be prepared (unintelligible) for that public forum.

(Jon): So, (unintelligible).

(Audrey): Right, of the task force, I can certainly sit down.

((Crosstalk)):

(Denise): Okay. Now, if there is anything you (unintelligible) back, anyone can get (unintelligible)

((Crosstalk))

(Audrey): Okay. But, I want to also put one thing in this any thing you can push earlier than the Friday, will obviously be helpful.

Marilyn Cade: I think there are just a couple of things in there. I am not going to promise to have it on Saturday so then I am not going to do it. So, if I can get it out earlier, I will.

But the other thing is that, perhaps what a nice way to do it would be, is when this go to the public forum today, we sent it to the council, so that the council who have not seen it have the chance to see the bulk of the report with only at the public (unintelligible) (will be distributed in time.)

So, I think we should do that. The other element that I have is that (unintelligible) who is to start public comment (unintelligible), and I have not spoken to webmaster to (unintelligible) up into the very long (unintelligible).

(Audrey): So, how long you can take to do that?

(Jeff): We are (unintelligible) slated for the 18th. Then?

Marilyn Cade: Yes, and I have got excessive (unintelligible) very, very (unintelligible)

(Audrey): Oh, okay. So, we had not actually done the formal stuff for the pre (unintelligible).

(Denise): No. So, I will be sending a note.

(Jeff): Okay.

(Audrey): It seems that I will amend this state now, to the twin sisters.

You agree? Please? We are going to remind them ...

Marilyn Cade: Lets start on the third thing and so, I need to ask for everyone to give their votes by when?.

(Audrey): When is it possible?

Marilyn Cade: As soon as possible and the latest is Tuesday?

(Denise): Tuesday (unintelligible).

Woman: Twenty seven. Those who did not vote to be included twenty seven of them vote out on the third of March, and on the 23rd of March. We hesitantly now on the 24th or 25th.

Now, does anyone see a need for any other teleconference in the meantime?

We have talk about one, do you think one is needed? Anyone? (Liz)?

(Liz): No, and frankly it is not fair for me just to be to be left to do the (unintelligible), for their comments as the conference call is interesting, but that not helpful.

(Jeff): Just a clarifications, when you say to get our votes in by close of business Tuesday, is that just on the (unintelligible) issue? Yeah. Okay.

(David): Yeah.

(Jeff): Okay.

(Audrey): Any other...you know bag collection involved at (unintelligible)that happen not on the (unintelligible).

Marilyn Cade: Okay. Are there any other vote corrections or vote absenteeism or whatever that you have on the document but not on the document.

(David): Okay, so no teleconference. Then the next meeting would be the 24th.

(Audrey): Once we set, we will have to let people know. And that would be a face to face sitting and listening?

((Crosstalk))

(Audrey): Any other comments?

Marilyn Cade: I just want to remind you that this is not necessarily apparent for everyone, but typically when (unintelligible) because if any of them (unintelligible) would otherwise, have to travel in early. Because of the

gag complications, the council really has to travel and (unintelligible).  
But just when you think about when you are going to leave

(Audrey): Basically, on second that we need to be acceptable one week we do the 24th or we can do the 25th, then see where it fits in. I don't think we need more than half a day, we probably only need 2-3 hours/

(Denise): Liz is not here but we can also ask the question of does the PDC '05.

((Crosstalk))

(Audrey): And from what I understand, (unintelligible) of the other working group want to meet also.

Marilyn Cade: Right, right, right, sub-groups in there.

Woman Is there anything else or did we really finish?

(Audrey): Did we really finish?

(Jeff): Absolutely.

((Crosstalk))

Marilyn Cade: Everybody is (unintelligible).

(Audrey): Well, actually we could, at one point Ruth wanted to have some conversation on something about (unintelligible) We have coffee coming in at 3:30.



((Crosstalk))

Marilyn Cade: So, I don't have anything else, but Ruth has asked for time to do some thing (unintelligible). But why we don't we...

((Crosstalk))

(Audrey): And I'm here until Monday.

(Jeff): Well, you have the Oscar Award.

(Audrey): Right, as if I will get an invitation.

Marilyn Cade: We might as well - well, let see if we plan to do anything, but yeah.

((Crosstalk))

(Audrey): I wonder if we can do some informal (unintelligible). Talk about 9 lines.

(Jeff): So, are we done?

(Audrey): I think we are done.

(David): Okay. Go (unintelligible).

(Audrey): Thank you so much.

(David): Bye.

END