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| ANDREA GLANDON: | I will officially start the recording of today's conference call. Good morning, good afternoon, and good evening. Welcome to the Consolidated Policy Working Group call held on Wednesday the 30th of January 2019 at 19:00 UTC. |
| | On today's call, we have Cheryl-Langdon Orr, Gordon Chilcott, Seun Ojedeji, Harold Arcos, Olivier Crepin-Leblond, Maureen Hilyard, Jonathan Zuck, Abdulkarim Oloyede, Hadia Elminiawi, Glenn McKnight, Sebastien Bachollet, Tom Dale, Alberto Soto, Eduarto Diaz, Yrjo Lansipuro, Marita Moll, Nadira Al-Araj, Avri Doria, and Kaili Kan. |
| | We do have apologies noted from Holly Raiche, Justine Chew, Bastiaan Goslings, Alfredo Calderon, John Laprise, Tijani Ben Jemaa, and a tentative apology from Greg Shatan. |
| | From staff, we have Heidi Ullrich, Evin Erdoğdu; and myself, Andrea Glandon, on call management. |
| | I would like to remind everyone to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. Thank you and over to you, Olivier. |
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| OLIVIER CREPIN-LEBLOND: | Thank you very much, Andrea. I am very happy to see that we have a very full number of people here for this Consolidated Policy Working Group call. Same thing as usual. We'll start with an update on the EPDP from Hadia Elminiawi and Alan Greenberg. Then we'll have a pretty |

good look at all of the current policy comment updates. And finally, the main points will be the CPWG at ICANN 64 Community Forum. So, we'll be working on that. Finally, any other business including the Neustar proposal. Is there any additional other business? I think there's some noise in the background now. Sebastien Bachollet?

SEBASTIEN BACHOLLET:     [inaudible] another small discussion about where we are in the [inaudible].

OLIVIER CREPIN-LEBLOND:     I'm sorry, Sebastien, could you repeat that slightly more loudly? Because I can't hear you. You're very feint.

SEBASTIEN BACHOLLET:     Okay, sorry. It may be better now.

OLIVIER CREPIN-LEBLOND:     It's better, yes.

SEBASTIEN BACHOLLET:     Okay, thank you. Sorry. Yeah. If we can have a short discussion about where we are on the auction proceeds, the cross-community working group. Thank you.

OLIVIER CREPIN-LEBLOND:    Okay, ICANN Auction Proceeds CCWG. We'll have that added to the any other business part of this call. I'm not seeing any other hands, so the agenda is adopted with this addition.

Now the second agenda item is the adoption of the review of the action items from last week and I understand that they're all completed, so we can swiftly move on to the next agenda item and that's number three, the update on the Expedited Policy Development Process from Hadia Elminiawi and Alan Greenberg.

ALAN GREENBERG:    And Alan will take it this time.

OLIVIER CREPIN-LEBLOND:    Fantastic. Welcome, Alan. You have the floor.

ALAN GREENBERG:    Thank you. And it's a very short presentation, so we should not use anywhere near the full amount of time allotted, unless of course there are issues brought up from the floor.

Work is proceeding and what I'd like to do is review the timeline here and the potential for making a statement along with our approval or non-approval I suppose of the report as it's going forward. Next slide, please.

The theory is the report is supposed to be shipped on February 11$^{th}$. That allows for the public comment. It allows to go to the GNSO and

consideration by the GNSO and its various constituent parts. Go to the board. The board is required to go out for public comment and then approval. And that would allow approval pretty close to the end of May, I'm told. I haven't looked at the actual timeline but I'm assured that this is working backwards is where we are.

Now, we still have a significant number of issues to resolve. Some of them likely to be contentious. And the group seems to be able to spend hours talking about things even when they're not contentious.

There had been a proposal to hold an extra meeting next Monday and next Friday. That is, we'd have one three-hour meeting every day except Wednesday. There was significant pushback in it, adding a bunch of meetings on such short notice, and despite the fact that people have committed to do this work, they also in general have day jobs. So, the Monday meeting in any case has been cancelled. What happens with the rest of the week, given that clearly we have more things to do than we're likely to get done is not clear.

We have pushed a lot of things into phase two and various people are now starting to realize that that may not be the wisest thing and can we clean anything up quickly? But that remains to be seen.

Before we can send the report, we need to do a consensus call of the EPDP members. It is not exactly clear how we're going to do that, whether it's going to be on a meeting via e-mail, via some sort of web form to say … Because I'm presuming we're going to have to assume section by section.

But clearly, regardless of how that's done, that does not give a lot of time for us to consult with the group. Now, at this point, there is nothing in the final report that I am aware of which goes against strong ALAC feelings. Anything that was not resolved reasonably has been deferred. That may change in the next week.

So, I'm assuming that we do not have to do a formal consensus call or vote before the team members can say the ALAC supports the report as issued, or as planned to be issued, but that clearly is something I want to hear from this group on.

Next week will be the last meeting we have before the report would have to – we'd have to do a consensus call if I'm looking at the schedule properly. And that's assuming we do not alter something to change that February 11$^{th}$ date. I am not going to be surprised if we do change it. But at this point, there's been no indication that might happen.

I'm going to pause at this point for any questions or comments or wisdom from the group as to, number one, whether we do have to take a formal action for the members to approve the report as issued, assuming we don't see any problems with it or is that something, discretion we have based on the ongoing consultation we have had. So, that's the first thing.

Now, remember, the ALAC will still have an opportunity to comment in the public comment period, but going forward to the GNSO, I think we have to indicate to what extent we believe we are satisfied or not. Olivier?

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OLIVIER CREPIN-LEBLOND: Thanks very much, Alan. When you mentioned that a consensus call would be required in the working group, does it look at the moment as though there is likely to be a consensus? That's the first question. Secondly, what are the positions of the GAC? Sorry, the GAC and the IPC seem to have been the ones that were most vehemently opposed to some of the points that were made by others, and so I wondered whether they've shifted their position. Thank you.

ALAN GREENBERG: I am not aware of any opposition to anything that is going into this report. Lots of things in phase two that it's not clear how we're going to resolve, but there is nothing that I am aware of that goes against the position taken by the IPC, the Business Constituency, or the GAC at this point. We'll talk about that a little bit for the next slide. But as far as I know, there is nothing that is a showstopper from their perspective. I can't speak on their behalf, but that's my current belief. Hadia?

HADIA ELMINIAWI: Hello, all. So, as Alan says, there doesn't … We actually don't see any showstoppers so far. Having said so, we are still discussing many of the items. For example, we've been discussing recommendations and assessing which is about the agreements and the [inaudible] between ICANN and the contracted parties. This has not been analyzed yet [inaudible] language for reasonable access. Other purposes, there has been an agreement that ARS could be included in [inaudible] which is about ICANN compliance. There has been talks about the research purpose and whether it can be included under purpose two which is

about disclosure. But keeping in mind that purpose two speaks about disclosure to third parties and ICANN is not a third party, or it should be maybe included under a purpose five somehow or should it be a standalone purpose? There was an agreement to draft a list of questions in this regard.

We have also some questions from ICANN with regards to, for example, obligating the registries to implement RDAP which is actually a requirement in the current temp spec. Other questions with regard to amendments to the registry-registrar agreement, search capabilities, notice to registered – to the name holder regarding the data processing.

So, we are still discussing many items and we haven't yet reached conclusions or final language on many of these.

ALAN GREENBERG:     Yeah. Thank you, Hadia. That being said, I have a reasonable level of comfort with one or two exceptions that most of these issues will be resolved in a way that is acceptable to At-Large. Certainly, the direction we're moving in right now on all of these issues I think is okay. Now, that doesn't say there won't be a showstopper, but at this point, it looks good.

One of the examples, for instance, is there's a proposal on the table right now to eliminate the admin contact. I don't think we have a strong feeling about that, but there is a potential that if we eliminate the admin contact, there may be registrations that do not have any contact information for the registrant. That's not clear. There are some ICANN documents which imply that there are such registrations. Other ones

imply there are not and we've asked – I believe we're asking ICANN to try to clear up this.

So, yes, there may be things that are showstoppers, and in which case, you'll hear from us next Wednesday. Hopefully, we'll know by then. But at this point, if you presume that in the opinion of Hadia and I there are no showstoppers, the question I put was is that sufficient to go forward? Sebastien is trying to speak and I think we need to let him talk.

SEBASTIEN BACHOLLET:    Thank you, Alan. Thank you for your [inaudible]. I would like to draw a [inaudible] with what is happening with the GNSO. I think [we will] vote and then it will go to the GNSO [inaudible] before us, At-Large, ALAC, to also take care of the document. Of course we have no duty like GNSO, but it may be a good time [to review] the final report. We are confident that we will take [inaudible] some question [inaudible] to help you to [inaudible] something else. But I suggest that we review or [inaudible] and go to other [inaudible] on the decision and then we will work at the same time of the GNSO to review the [inaudible]. Thank you very much.

ALAN GREENBERG:    Sounds good to me. Thank you, Sebastien. So, to repeat, to make sure I understood correctly, Sebastien is saying that in terms of any consensus call within the EPDP that we leave it up to the members in conjunction with the alternates, but following that, the ALAC consider this seriously in parallel. There's a two-week period for which the GNSO will be considering it and we should do the same at the same time, just in case there are any surprises. If I understood you correctly, Sebastien, I think

that is what you're proposing. And of course we then have a public comment period where we can also make comments if necessary.

I see no more hands. Can we go to the next slide, please? No, there should be one in between. Hold on.

ANDREA GLANDON: Let me check the e-mail that you sent me again, Alan.

ALAN GREENBERG: I was sure there was a slide in between those two. I can speak to it, if necessary. There wasn't. It got lost. My apologies.

ANDREA GLANDON: Thank you.

ALAN GREENBERG: Alright. Let's see if I can reconstruct it in my mind. It will not let me go back, unfortunately. Alright. The question is should the ALAC make a statement along with any approval we give?

Now, the reason I raise the issue is this is being discussed within other groups and it is likely that there may be a statement issued by other groups. There may be the opportunity for us to make a similar statement or to simply join the statement.

The context would be it's delightful that we're here. We've seen lots of cooperation. We support the consensus – and again assuming nothing

shows up in the next little while – of the recommendations that are presented in the report. However, there are a very large number of issues which include reasonable access, a unified access model, and a whole bunch of issues related to cybersecurity, intellectual property, consumer protection that have been deferred because these all become access questions.

And if we end up seeing post … Once the crisis is over, we've got past May 29th or whatever the date is, and if we start seeing significant delay within the EPDP or pushback that some of the things which were deferred in good faith are suddenly deemed to be out of scope by some parties, then that may well break the consensus after the fact and we're going to have problems.

So, the statement partly is a rah-rah statement saying we're glad we got here, but it's also serving notice that we have certain expectations going forward and all of the details are still to be worked out. They need to be worked out.

And if we start getting the point where we have a problem, it's not clear what we will do at that point, but simply serving notice that this is really crucial, that the presumption of our consensus at this point is based on things that are deferred into phase two. But those are very important things to us.

So, I guess I'd like to put out the question of does it seem reasonable to issue such a statement as opposed to just a yes that we support the consensus? And is it reasonable that either we should draft such a statement, or if there is one being put out by other people, try to

become – join them and issue a joint statement. So, I guess I'd like to get any feedback people have on that.

Either no one is listening to me or … Hadia says it sounds reasaonble. Seun, please go ahead. Go ahead, Suen, and I see we have Jonathan after you.

SEUN OJEDEJI:          Yeah. Okay. Thank you, Alan. I think it really would be good if we could get to make a joint statement, especially for the advisory members. If [inaudible] possible to coordinate [inaudible] take so much time to get that approved through. I didn't know, however, if that includes the extent of it but I think it's good to do it. If it's within the GNSO constituency, for instance, I personally have always [inaudible] NCSG side of the GNSO. But if there are some [inaudible] that we could turn into a joint statement [inaudible], I think it would be good. Thank you.

ALAN GREENBERG:          Yeah. Thank you. The groups that we're likely to be in agreement with are the same groups that we've been talking about all along and that is the Business, Intellectual Property, GAC, and SSAC. Those are the groups with whom we typically share many positions – not all, but generally many. Jonathan, please?

JONATHAN ZUCK:          Thanks, Alan. I like the idea of doing a statement and even if we don't release it, I think it's a good exercise in culling our thoughts and

socializing that messaging to the group. So, I think the exercise is worth it whether we decide to release the statement or not.

ALAN GREENBERG:          Okay, thank you. Olivier?

OLIVIER CREPIN-LEBLOND:  Thank you very much, Alan. Just to be sure of this, are you effectively foreseeing that there might be trouble ahead when it comes down to the topics that have been basically pushed forward? Bearing in mind that we have seen in the past ways of saying let's do it in two pieces. Let's do part A and part B and then you agree to part A thinking that you will then continue implementing with part B, and afterwards you're then told in part B, "Sorry, that's already been discussed in part A, so we're not going to discuss that now." Effectively having something which is supposedly pushed back but then said when it's pushed back that it was actually before, if you see what I mean.

ALAN GREENBERG:          Yeah. I'm not worried that someone says, "Oh, no, we already discussed it," because when we're deferring something to phase two, it's being documented as that. But that doesn't stop people from saying, "Yes, we're now going to discuss it and our opinion is we shouldn't do it." So, there's a difference between pushing the discussion to phase two and actually seeing something happen. So, do I believe people will reuse to talk about it? No. Do I believe there's potential for some people's position being far more rigid than we would like to see? Yes.

I'll give you an example and it's one that probably doesn't matter because we've probably resolved it another way. There was a recommendation in Toronto to defer the ARS, the accuracy reporting system, discussion until phase two because it really is an access issue and it is. I believe we've found a way to finesse it and not have to defer it to phase two. We'll see if that's accepted or not.

But consider the possibility that if it went to phase two when we discussed it, the discussion from some parties would be, "We don't believe we should be doing it at all. Therefore, we're not going to agree on how it is done." It become an if instead of how. So, I could foresee that happening. I'm not predicting malice or ill will on people, but I can imagine that happens. So, yes, that's the kind of thing we are if not protecting against, at least forewarning about. Hadia, do you want to make a comment before we go to Jonathan? No?

HADIA ELMINIAWI:          Yes, just a quick one.

ALAN GREENBERG:          Go ahead.

HADIA ELMINIAWI:          Actually, [inaudible].

ALAN GREENBERG:          Hadia, you have faded away.

HADIA ELMINIAWI: Yes. What I would like to actually [inaudible] that part two is actually the rest of part one. So, what we would like to have is after completing part two, we need to look at the whole product and the whole product would be the output of part one and part two together and that is what will determine how good the final product is. So, how good is the final output? So, that's [inaudible] and that's maybe after completing part two and looking at both together we find that what we have created doesn't actually satisfy our needs.

So, this is unlikely to happen, but this is what we would like to do. We would like to look at the final product after completing both parts, part one and part two, and be able to say that this whole thing works together or this whole thing does not work together. Thank you.

ALAN GREENBERG: Look, we can't predict the outcomes and phase two may well readjust things from phase one. We seem to have an echo. Alberto, please go ahead.

ALBERTO SOTO: We said we might or might not have a report. There are certain, some things that are already defined in the EPDP and some things created more problems than others. My suggestion is as follows, that Hadia and Alan should tell us what is coming, so that we can focus ourselves, our attention, into those areas that have not been resolved, so that we can

work on things that had [inaudible]. We are not going to change what has not been resolved now. Thank you.

ALAN GREENBERG:        Thank you and that is indeed what we normally try to do. Marita, please. Marita if you're speaking … Go ahead.

MARITA MOLL:           Sorry. I forgot to unmute.

ALAN GREENBERG:        We can hear you now.

MARITA MOLL:           It's in the chat. Is the suggestion that agreement on part one is contingent on agreement on part two? That's my question.

ALAN GREENBERG:        Not really because agreement on part one is agreement on part one and we're going to go ahead with it and the GNSO will vote on it and the board will vote on it. All we're doing is raising a concern that … I can't put it in any clearer word than that because we can't go and revoke … I mean, we could revoke our approval of part one, but it doesn't really matter at that point. It's long past. We could require that some things from part one be reopened.

MARTIA MOLL:              That's what I was thinking and I'm understanding.

ALAN GREENBERG:           Yeah. If you're asking what power of authority does such a statement have, it's not clear it has any. It's simply waving a flag.

MARITA MOLL:              Okay. Just we can't back out of an agreement. That's all I was concerned about. We can't just back out of an agreement that's been made.

ALAN GREENBERG:           No, we can't, but we can say that – and I don't think we want this level of specificity, but we can say we may have to reopen some things in phase one that were decided in phase one and that's within the charter. We may have to revisit things based on decisions made in phase two. It's just serving notice that the decision we made here were contingent on a belief that other things would be resolved. It does not necessarily have any power behind it, but it's simply serving notice.

MARITA MOLL:              Alright. So, I'm not totally wrong on that statement. There is some contingency here.

ALAN GREENBERG:           Well, there is. Now, just because we want to reopen something doesn't mean it gets reopened, but we can certainly make a statement that we believe that should be done. Consider this social engineering, if nothing

else. Olivier? I'm going to have to leave the call shortly. Olivier, go ahead.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan. At present for part one there definitely is this pressure for everyone to reach consensus. EPDP has, on the one side, a time limitation; and secondly if there is no consensus, then it really becomes pretty bad for everyone.

If one looks at part two, would that be also having a similar time limitation, and also if part two did not reach consensus and therefore there was blockage or blocking from anyone saying, "Well, let's just get part two to not reach consensus at all," would there be similar consequences for everyone? In other words, is there the same pressure for part two as the pressure in part one equally bestowed on all participants. Thank you.

ALAN GREENBERG: The answer is it varies. We know, for instance, the very large registrars and registries cannot sustain existing without some sort of standardized access model. There just aren't enough lawyers and employees in the world to handle the number of requests that they're going to be getting. So, some of them have pressure, others have no pressure whatsoever, and the status quo is delightful. There is not going to be the same pressure as there is today. That's definitely the case and that's one of the reasons that we're talking about making such a statement.

OLIVIER CREPIN-LEBLOND: Just as a follow-up, you're basically saying that there will be the pressure for having some kind of access model, but what if … I mean, I've certainly heard some registrars saying, "Oh, look, this is taking too much of our time. We'll provide access at our own pace, and if it takes a month, it takes a month. If it takes five months, it takes five months." Surely, that access model is hinging on the whole deal, isn't it?

ALAN GREENBERG: Look, it is also going to depend on liabilities. A registrar or a registry is very unlikely to want to let ICANN or an ICANN body or ICANN process make decisions for them when they are the ones liable for fines and penalties after the fact if the decision is made wrong. So, it's going to hinge to a very large extent on can we either reduce liabilities or increase, provide indemnification or something like that? That's part of the discussion. It's part of the discussion on who is the controller and what is the relationship between the various controllers and processors. These are really difficult questions, partly because the legalities are not well understood and partly because we just don't know how it's going to play out.

We do know there's pressure on some parties to generate a unified access model, which implies some level of automation. And there is very strong belief on the part of other parties that under no conditions will they accept that. So, life is not going to be easy. I can't give you anymore promises than that other than some of us don't want to spend the rest of our life doing this. Hadia, please go ahead.

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| HADIA ELMINIAWI: | So, I would actually [inaudible] agreement that ICANN— |
| ALAN GREENBERG: | Hadia, you must have two microphones on. There's a bad echo. |
| HADIA ELMINIAWI: | Okay. |
| ALAN GREENBERG: | Try now. |
| HADIA ELMINIAWI: | That ICANN will reach with the [inaudible]. Pardon me, that's one thing. Also, the kind of obligations that would be put in the agreement. For example, the new gTLD agreements do obligate registries to implement RDAP and will we have agreement that obligates some types of parties to provide a unified access model? So, I think all of this is [inaudible] place, too, and how this will go forward. |
| ALAN GREENBERG: | Thank you. I'll point out that if we have a unified access model, there's always going to be an escape hatch that any given registrar or registry can say decisions will not be made in an automated way for some classes of queries, that they will always come to a person. So, there's always going to be edge cases like that, and any given registrar or registry may choose to make the edge case the norm. |

So, there's lots of work to be done. There's no guarantees at this point, but going forward, I think all we can do at this point is get past this hump and presume people will be working in good faith. And I think a statement serves notice that if that doesn't turn out, there's going to be screaming and yelling. I don't think we can do anything else.

In any case, we've used up our 30 minutes and I think we have a consensus on a statement will be good. A joint statement will probably be better. And we'll be in discussions with other groups over the next week and see where this goes. Thank you, all.

OLIVIER CREPIN-LEBLOND:    Thank you very much for this, Alan.

ALAN GREENBERG:    Olivier, I'm going to drop off. I'm going to try to get back later in the call for the auction discussion, but I'm assuming that will be closer to the end of the call than soon. Okay.

OLIVIER CREPIN-LEBLOND:    I believe so, yes. Thank you for this, Alan, and thanks to you, Hadia, as well. We can now move to the next part of our call and that's all of the other policy comment updates. For this, I'll hand the floor to Jonathan Zuck and Evin Erdogdu.

EVIN ERDOGDU: Thanks, Olivier. I'll just go through the latest policy comment updates as usual and then turn it over to Jonathan. So, this week there was one recently ratified comment by the ALAC on work track five and that executive summary has been added to the agenda as well as the executive summary page. It's a little large on the screen there, but it's there. And there's still one public comment for decision that opened about a week and a half ago now. It's the initial reports on the [SC] effectiveness. This closes on the 25th of February and currently there hasn't been a volunteer to be a penholder for this statement, nor has there been a request for it to be no statement. So, it's still pending.

Then, there are four current public comments to which the ALAC is developing a response to. Three out of four of those have Google Docs where the drafts were posted. They're comment only. And those are linked to the agenda as well.

The FY20 operating plan and budget comment will be closing on the 8th of February and the ALAC Finance & Budget Subcommittee will be discussing that early next week, but comments are welcome.

Then the ICANN strategic plan for fiscal years 2021 to 2025, this also has a Google Doc and I believe Marita has a presentation. I'm not sure if Marita would like to go ahead and share that now before we continue. I'll let you decide. Is she on the call?

MARITA MOLL: Yes. I'm here on the call. Thank you. I don't know if this is where Jonathan has slotted this in.

JONATHAN ZUCK:     That's fine. Let's go ahead. If we have your slides, let's go ahead.

MARITA MOLL:       Yes. We have the slides.

ANDREA GLANDON:    Yes. Give me just a moment.

MARITA MOLL:       I'm going to just post the actual site for the Google Doc also in the chat here, so that you can take a look at it. There it is. As a result of last week's discussion – and I put together a nice document that covers a lot of the questions in this strat plan. There are some responses to all of these five issues and the one we discussed last week was improve the effectiveness of the multi-stakeholder model of governance. A lot of good ideas came across there and there's already been a number of good comments on what was … Hopefully, you'll take the time to have a look at that.

Also, there's some more general discussions on how we believe that making sure that the system is stable and secure, is a top priority. There's also a statement on geo-political issues, having to do with the issues around multi-lateralism and multi-stakeholderism that were discussed last.

But I was hoping today to just have a brief discussion on number five, ensure ICANN's long-term financial stability. There are three issues posted under here. This is what ICANN feels it needs to do to ensure financial stability. Enhance understanding of the domain name marketplace, obviously. Strengthen cost management and financial accountability mechanisms and better balance changes and stakeholder's needs.

With respect to [inaudible] interesting in how it's broken down. Strengthening the cost management and financial accountability mechanisms includes all these obvious things – control cost, drivers, and processes, and tools.

But when you get down to the strategic risks, I find this really an interesting one to be put in here and I think we would need to have some [inaudible] to this. That one of the strategic risks in the cost management and financial accountability is lack of alignment or consensus on priorities and goals among ICANN stakeholders, resulting in conflict [inaudible] allocations. And that is something I was hoping people here might want to weigh in on, just to help [inaudible] where we should go with that particular suggestion, idea. Is it true that lack of alignment and consensus is going to really damage cost management and financial accountability mechanisms? Is it fair to blame bad cost management and financial accountability mechanisms on the way the stakeholders are working? Anybody got a comment on that just off the top of their heads?

The other thing that we really wanted to have a little bit of input on was auction proceeds. What do we have to say about auction proceeds?

That's obviously part of how ICANN is raising funds these days, wants to continue doing that and maybe a little bit of guidance on where we should go with that would be useful. I see Sebastien. Go ahead, Sebastien.

SEBASTIEN BACHOLLET:       Thank you, Marita. You are working—

MARITA MOLL:       You are on mute right now. You'll have to unmute.

JONATHAN ZUCK:       We can hear you.

SEBASTIEN BACHOLLET:       I assume you are breaking up, Marita.

MARITA MOLL:       Okay. You're unmuted. Go ahead.

SEBASTIEN BACHOLLET:       Yeah. I wanted to—

MARITA MOLL:       Hello? We can't hear you.

SEBASTIEN BACHOLLET:        Make a comment about the question.


MARITA MOLL:        Can anyone else hear Sebastien? I can't hear him.


SEBASTIEN BACHOLLET:        Now can you hear me or you can't?


ANDREA GLANDON:        We can hear you.


MARITA MOLL:        Technical difficulties.


ANDREA GLANDON:        Yeah, we can hear you. I think Marita might have a delay or something or she's having an issue on her end.


SEBASTIEN BACHOLLET:        Okay. Thank you very much.


MARITA MOLL:        Sebastien, are you speaking?

| SEBASTIEN BACHOLLET: | Yeah. The question of alignment, it's an interesting question. It's interesting that it's posed by ICANN staff and by the board, but it's something we may need to have to push the discussion at the level of the meeting, like the chair of the SO and AC to see if there is or not an alignment. |
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Of course, each group are pushing to have more part of [inaudible], but at the end of the day, I'm not sure that it's there. We need to decrease this part of the [inaudible].

Just to say that we are – the proposal made about what is the level of expenditure, it's when we start with 400 people on staff. [inaudible] discussion to [inaudible] 10% less or more, it's not really a good discussion. I think there is too much staff in ICANN and they are an organization in itself, the name organization is also quite interesting.

Therefore, I think we need to be very attentive on what is proposed about decreasing the cost of this organization, because at the end [inaudible] the level of budget for ATLAS-3 is one of the examples among others, the fact that we may not have any more opportunity to a General Assembly of the RALOs, all the members of the RALOs [inaudible] and that's going in the wrong direction, especially when you take into account your point of view, very good, very well-articulated about what is the multi-stakeholderism and why we need to have the [inaudible] included. Therefore, I really feel that this part will be well-discussed. Thank you very much.

MARITA MOLL:    Thank you, Sebastien. I think this might help. Does this help with my audio? I hope it does.

I agree. I find it a little strangely placed, this particular thing here under the cost management and we really should think carefully about how we want to address that. Obviously, it does have an impact on the cost, but if resources are not properly allocated to the resources, then the resources are allocated somewhere else and perhaps the resources are badly allocated on their side. I think that's what you're suggesting. Anybody else want to weigh in on that? Well, I will invite you to put something in on the Google Doc.

Auction proceeds, do we have anything to say on the auction proceeds? I think we've already said some things in our recent comment and we can reiterate those. Does anyone want to come forward with anything new, different? Cheryl, please go ahead.

CHERYL LANGDON-ORR:    Thank you. Not new or different because I've said it at the ALAC meeting and I've said it at various other meetings, including Finance & Budget Subcommittee meetings so it won't be a surprise to them when they get to look at whatever this group results as a draft. But we have to take into account in our responses to this public comment for the FY20 budget and strat planning any – let me make that clear – all of the line items in our budget assessments that we put in and included in the implementation review plan that's now been approved by the board and the board will be expecting us to do as they instructed us to and that is to follow through with the appropriate budget inputs, so we

need to make sure that that's picked up in this document again, as well. So, that involves us going through and checking off in probably even table form or [inaudible] form any particular issues that we have already put in to the ARIWG planning and is now a requirement for us to be able to complete, so we need to make sure that there is not counter-point or counter-argument in this document to any of those things, and then anything needs to be highlighted is appropriately done. Thank you.

MARITA MOLL:            Thank you, Cheryl. Are you suggesting that we get into the detail in our response to the strategic plan, the detail of the issues and the ARWG plan as what we have committed to doing and what they have committed to funding? Is the place to get into that, do you think?

CHERYL LANGDON-ORR:    Sure. I can give you a very particular example. In the ARIWG planning and the approved budget, the statement was we would be requesting budget for the implementation improvements. We have a full-time employee added to our staff. Now, if you believe in bitching and bleeding about ICANN being bloated, guess what? Should I be more explicit than that?

MARITA MOLL:            Okay, Cheryl. You're suggesting we shouldn't complain about more staff at ICANN because we did get an extra staff member in order to complete the task.

CHERYL LANGDON-ORR:     At best, we're going to look like hypocrites. At worst, we're going to be doomed to fail in our now approved implementation plan. To be honest, ALAC can choose where it wants to fail or where it wants to look like idiots. Not my problem. I'm not ALAC. But I'll be warning them as well.

MARITA MOLL:     Okay, Cheryl. Thank you. Very good word to the wise. Watch out what you say. You may be held to it, right? Jonathan, are we still okay on time? Can I go on to another point?

JONATHAN ZUCK:     Yes, quickly, because I don't think Greg is going to make it to the call.

MARITA MOLL:     Okay. The next part of the … This is that one. 5.3, enhancing financial planning model and better balancing economic challenges and stakeholder needs. This is still part of the unpacking of section five. Targeted outcomes are being able to address impacts on budget, being able to predict where the market is going to go, evolving this two-year budgeting cycle. All those things which are evident.

But, in here under the strategic risks, suggesting what if ICANN is unable to fulfill its mission because the market changes or is unable to address essential technology and requirement? Those are the risks. Sebastien, you have something to say about that? Thank you. Go ahead.

SEBASTIEN BACHOLLET: No, sorry. I had something to say before. But I would say if that is straight and clear, I am an idiot and if you want me to stay an idiot, I will stay an idiot. If you want to make the [inaudible] about why we need to struggle, again the fact that there are too much, I can spend some time on that. I just want to remind you, or tell you, that when we crossed the bar of 100, I already [inaudible] with the CEO about this [inaudible]. Now we are four times this number, and in part because we are requesting a better balance of the staff that we [inaudible] too much staff in the global. But if that's too be an idiot, I am an idiot and I am [inaudible]. Thank you very much.

MARITA MOLL: Okay. Thank you, Sebastien, for that rebuttal. I think we'll try to [inaudible] something that addresses a little bit both points of view without incriminating ourselves.

Is there anything to say about the dangers of being unable to adjust to changes in the domain name marketplace? Can we say anything about that [inaudible]? ICANN has already said that it needs to make sure that it's out there addressing those changes. Is ICANN creating some of the changes and should they be doing that? By releasing more top-level domains, they're definitely I think a role in the marketplace and what's being created or not. Or is this release of top-level domains, is it a [inaudible] strategy to create a market? Any ideas on that? Not at the moment.

I'll just leave you with those things to think about. [inaudible], Sebastien. But we can always leave you for these things to think about

and drop something into Google Doc when you're ready. Go ahead, Sebastien.

SEBASTIEN BACHOLLET:     Yes. Thank you, Marita. I think it's important to ask our colleague from Africa and Latin America where [inaudible] try to enhance the domain marketplace, the domain name marketplace, with the development of a new registrar and some other direct or indirect action by ICANN. [inaudible] best place to talk about that, that people from our region like North America and Europe. Thank you very much.

MARITA MOLL:     Okay, thank you. I'll pose a discussion on this now. Olivier's got a comment. I think we have time for that. Go ahead.

OLIVIER CREPIN-LEBLOND:     Thank you very much, Marita. I think here it certainly says ICANN isn't able to fulfill its mission due to its inability to adjust to changes in the domain name marketplace that impacts funding. I'm not quite sure what you mean by funding? Does that impact costs or that it impacts income?

MARITA MOLL:     Well, I didn't write this. They did. That's a good question.

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OLIVIER CREPIN-LEBLOND: Okay. In which case, I think that's one point that we need to certainly ask because funding is something, is a term that, as far as I'm concerned, is completely alien to the domain name marketplace. In a domain name marketplace, there is income. So, ICANN would definitely derive an income from registries and registrars having a thriving domain name marketplace.

That being said, I still have not seen any equation today from ICANN, any research from ICANN, to show at what point does a registrar – sorry does a TLD become a cost rather than an asset to its own finances?

In other words, the multiplication of small TLDs has certainly multiplied the number of staff required to, one, service the registries that are selling these TLDs, and secondly, an increase in the compliance department because the number of TLDs has bubbled to so many of them and some of them are not particularly stellar in the type of services that they provide.

So, you end up with, it might seem, some kind of a curve at some point that would show you where a TLD is creating a positive impact or a negative impact on ICANN's finances and I'm not quite sure that they're at this point yet. In other words, I don't think that they're doing such calculations. Thank you.

MARITA MOLL: Thank you, Olivier. I think that's an excellent point and sort of what I was driving at. What they mean here by impact [inaudible] ICANN as an organization, but whether or not their entry into the market is always a positive impact on their funding is definitely a question. I don't know if

there have been very many studies or maybe it's too early or maybe it's not. But that's a comment which is certainly – try to fit into there.

I think, perhaps, unless someone else wants to weigh in very quickly, close my section of this particular discussion and I invite you to go to Google Doc, take a look at what's there and throw in any other ideas you have. Thank you. I'm handing it back to Jonathan.

JONATHAN ZUCK:           Thanks, Marita. Thanks for leading that conversation. Do we have Joanna on the line? Is she on the phone?

ANDREA GLANDON:        We do not have Joanna on the call.

JONATHAN ZUCK:           Okay. Evin, do you want to finish up the list of open issues?

EVIN ERDOGDU:            Sure. So, I don't know if you want to discuss the public comment for decision, the initial report on [CSE] effectiveness or if you'd like to just wait for the next call.

JONATHAN ZUCK:           I think I'd wait until the next call. I'm not finding a lot for us to say on that looking at it, but let's have a conversation on our next call.

EVIN ERDOGDU:    Okay. So, in that case, we could go back to the ICANN draft FY20 operating plan and budget, if Maureen wanted to note perhaps the latest and what is planned for the Finance & Budget Subcommittee call or we could move on. I'm not sure if Maureen is available. Also, the first consultation on two-year plan—

MAUREEN HILYARD:    Sorry, Evin. I was just trying to unmute myself, having great difficulties. I just want just a very quick review. [inaudible] comments being made on the Google Doc. I invite people to refer to the Google Doc when they're looking at this because the original draft, my musings, that were in the Wiki have been greatly reduced and I've taken out all my personal comments.

There have been Tijani has added a little bit. He's still working on it. It still needs a few – I'd still like some input. I imagine that the bits that I've actually focused have been to highlight the sorts of things that we're actually doing in relation to the projects that are being proposed for FY20 and that what we're doing now, there may be implications for some budget requests, perhaps in the upcoming year. For example, the LACRALO translation tool which is having major difficulties and it's something that I think is really hindering the progress within the region and the communication within the region and participation, sort of like a collaborative participation of the regional participants. So, it's something to be looking at.

So, those sorts of issues, things that we're doing and [inaudible] Cheryl has mentioned as we move on their implications for funding for the ARIWG At-Large Review Implementation Plan.

Anything thing I felt was important to At-Large I've tried to put it in, but I may have [inaudible] on that. So, if people want to have a look at it and add bits, that would be really good. Thank you.

EVIN ERDOGDU:       Thank you, Maureen. Also, on that note, first consultation on the two-year planning process will also be discussed on the FBSC and Judith Hellerstein has also posted an initial draft to the Google Doc and that's shared on the agenda for comments. She's not on this call.

We also have updated operating standards for [inaudible] and I don't think Greg is on the call yet, Jonathan, but if you wanted to comment on that.

JONATHAN ZUCK:       Yeah. I had those discussions with Greg, so I think we've got to put that off. Again, we're not finding a lot that is changing to affect the At-Large, but Greg has put together some slides. He must have gotten called away last minute or something because [inaudible] on this call. So, let's kick that can down the road as well.

EVIN ERDOGDU:       Okay, thanks. That's all from me, then. Over to you, Jonathan. Thanks.

JONATHAN ZUCK: Thanks. So, the only other thing I wanted to mention briefly, and perhaps go over on the next call, is that on the ICANN 64 planning call, the idea came up of us having some talking points to the key issues that are going to be critical at the meeting, based on what sessions are happening, etc. So, I'll be reaching out to penholders on various comments that we've done, etc. to work on some talking points that we then try to circulate and socialize so that everybody is, to the extent possible, saying the same things when we get to Kobe. So, keep an eye open for an e-mail from me on that topic if you've been a penholder or leader on a particular topic. Then we'll try to circulate something and discuss it.

I think that's it for me. I'll pass it back to Olivier.

OLIVIER CREPIN-LEBLOND: Thanks very much. So, I believe we're on agenda item six. Joanna isn't with us, so moving to seven, already in any other business. That will make it rather quick. We've got the question regarding the consultation on the Neustar proposal for three-phased new gTLD application model. Justine has collected quite a number of responses. The question that comes now is what happens next.

This obviously is not an official public comment period. The aim that Justine had, and unfortunately she is unable to be with us today, but the aim that she had was to be able to share those responses informally on the working group itself, on the Subsequent Procedures Working Group itself. But there is no … Well, basically this would probably be some kind

of a correspondence or something, but this working group I guess is looking for some advice from Maureen and whoever else deals with policy. So, I gather the two policy folks are Sebastien and John Laprise. What happens now? Jonathan Zuck?

JONATHAN ZUCK:          Thanks. I think John has left the call, but he also circulated a pretty strident e-mail about this process and expressed his frustration with Neustar either putting out this proposal … I think we're putting too much concern on process here. I think that Jeff just circulated it to kind of test the waters and see what people think. And Justine has done the work to try and assess what it is that we think. I don't think there's any problem with some kind of correspondence back to the Subsequent Procedures Working Group which is where these decisions are being made with our feedback on this. I think on the surface it's not some dramatic deviation from process that we need to be worried about encouraging. I think that Jeff was trying to test the waters on this before it got discussed and I think we want our voice heard.

OLIVIER CREPIN-LEBLOND:   Thanks for this, Jonathan. Let's have Maureen Hilyard.

MAUREEN HILYARD:        Thank you, Olivier. Can you hear me? I'm not quite sure whether I'm muted or not.

OLIVIER CREPIN-LEBLOND:     We can hear you very well, Maureen.

MAUREEN HILYARD:     Awesome, thank you. I just wanted to support what Jonathan was saying. I think that from the communication – and I apologize, I haven't been following it in depth as some others may have and my communication with [inaudible] just to prevent [inaudible]. And I think that in this particular instance, because we're not actually trying to get the colleagues to view as we tried to do with our other statements is [inaudible] get some feedback. I think that what we can do is give the range of feedback that is actually coming from within the group and I'm sure that Justine will very appropriately present those wide-ranging views on this particular issue. So, if it's just feedback that they actually want, I'm sure that she'll be able to do that. Thank you.

OLIVIER CREPIN-LEBLOND:     Thanks, Maureen. The question I get really comes to how Justine comes back to Jeff because the understanding in taking part in a PDP is that the feedback is from an individual. Can she say that this is the feedback of our CPWG working group? Should she say it's the feedback of the ALAC? How should she present it? I'm just trying to make life easier for her when she responds.

MAUREEN HILYARD:     Personally, I think that it's general feedback. Does it have to be ALAC? It's not the normal process. It's not the normal kind of feedback that we would give. So, I think that I would have to leave it up to Justine who is

our liaison. And I think that she would very appropriately present it in collaboration with the people who she is working with about which is the best way.

I personally do not know, so I'm actually relying on the wise words that will come from within this group as to what would be most appropriate. Thank you.

OLIVIER CREPIN-LEBLOND:     Thanks for this, Maureen. I'm just seeing your hand going up, Maureen Hilyard, strangely enough. We must have a delay.

MAUREEN HILYARD:     Oh no, sorry. I mean to put it down. Sorry.

OLIVIER CREPIN-LEBLOND:     You're just speaking and another Maureen turns up. Jonathan Zuck?

JONATHAN ZUCK:     Yeah. Again, I don't think we should over-job this. I think that Jeff reached out to Justine informally and she can reach back informally. It's an unofficial statement. She went and collected feedback and she can share that feedback with Jeff. I think that's all we need to happen.

OLIVIER CREPIN-LEBLOND:     Thanks for this, Jonathan and I think that we pretty much have it on the record now. So either your or me can let Justine know that she can just

come back to Jeff and provide that feedback, I guess just explaining that this has been excessively discussed in the Consolidated Policy Working Group of the At-Large community, so that's the current feeling. I guess it's one of these moments, the temperature in the room type thing.

Okay. So, that was one any other business. The other any other business was the one that Sebastien Bachollet brought forward, and that's an update on the ICANN Auction Proceeds Cross-Community Working Group. Sebastien, you have the floor.

SEBASTIEN BACHOLLET:    Thank you very much. We had a call this afternoon two hours ago, the Auction Proceeds Cross-Community Working Group. We are in a [inaudible] having comments and how we will deal with … The question is for me to how we organize ourselves to work on that. I may suggest that we split the document in pieces and we ask maybe a member of the working group from At-Large to work on one piece, [inaudible] other solution or idea to do the work, I am obviously open to them and it's not my call to make any decision on that. Thank you.

OLIVIER CREPIN-LEBLOND:    Thanks for this, Sebastien. Any comments? Maureen Hilyard?

MAUREEN HILYARD:    Thank you, Olivier. I just noted that Alan was back. I assume he's back. Yes, we were all up early this morning – or I was – attending that meeting. We discussed an 80-page document on the feedback that was given on the auction proceeds. I agree with Sebastien because they

want groups looking at groups forming to discuss the various issues. I think that the ALAC had a very good group. We're actually a good group that we can actually get together to provide our submission, a comment to the public comment and it would be a good way to coordinate something from the ALAC.

It was really good, this morning's call, too. We noted that a majority of the people who were there were from At-Large and I really do appreciate in those meetings At-Large does have a really good … There's a good presence there and lots of activity there. But Alan might have something to say as well.

OLIVIER CREPIN-LEBLOND:     Thanks, Maureen. Alan Greenberg, are you back?

MAUREEN HILYARD:     I thought he might be back.

ANDREA GLANDON:     Alan is not back on the audio. I think he just left his AC logged in.

OLIVIER CREPIN-LEBLOND:     The ghost of Alan Greenberg that we have on the Adobe Connect, but not Alan himself. Okay. Any other comments on this topic from anyone? We think it would be going a lot faster today than in other times. Has anyone tried to get a hold of Alan, since he did say he wanted to say a few words on this? That would be helpful.

In the meantime, since time is passing by until Alan makes it, if he does, let's decide on our next meeting. You've noticed that this week we were supposed to have our call at 13:00 UTC and it's moved again to 19:00 UTC due to several conflicts with sessions. So, next week we can try again for 13:00 or we could actually rotate to a later time still. Is it 23:00 UTC or 22:00 UTC?

ANDREA GLANDON:           Yeah. 21:00 through 23:00 UTC is what we were thinking for LACRALO, so it could be any of those three start times.

OLIVIER CREPIN-LEBLOND:   Okay. Are there any objections? Sebastien, I'm seeing your hand. I'll get back to you afterwards. Or is this about the next meeting or is this about the auction proceeds?

SEBASTIEN BACHOLLET:     It's the next meeting.

OLIVIER CREPIN-LEBLOND:   Okay. Please, go ahead, then. You have the floor.

SEBASTIEN BACHOLLET:     It seems that now we are having the auction proceeds call, like this week each two weeks. Therefore, I suggest that if we keep two times, we keep this rotation from now on next week at 1:00 PM and next one

at 19:00 PM like that. We will not conflict for the moment with the auction proceeds meeting. Thank you.

ALAN GREENBERG:     Thanks for this, Sebastien. The only thing is we now have also a third time that we can play with, which is an even later time from 21:00 to 23:00. And I note that there is a clash at 20:00 UTC next week. So, correct, there was a request for later for the LACRALO region. Andrea, 21:00 seems to be clear for next week, but from 21:00 to 23:00 is not good for Maureen. Dear, oh, dear.

Look, I would say since … Maureen, of course, ALAC chair doesn't really matter much, does she? ALAC chairs never matter anyway at any point in time. She can listen to the mp3, says Cheryl, who will obviously be available. So, let's try a later time next week, then. Let's try 21:00.

ANDREA GLANDON:     Okay, so we'll do a start time of 21:00 UTC.

ALAN GREENBERG:     That's a LACRALO-friendly time. I understand what Sebastien was saying is that because the auction proceeds is one week out of two, you could actually go with 13:00 next week and then the 21:00 the week after or something. But because we have three different times, we can certainly, the week after, when there's a clash with auction proceeds, we'll be able to go for 19:00 and then the week after that we'll be able to go for the 13:00 UTC time.

So, with all this, let's see if Alan Greenberg is back on the call for the discussion on auction proceeds.


ALAN GREENBERG:            I'm here.


OLIVIER CREPIN-LEBLOND:    Ah, welcome back, Alan. You did say you wanted to chime in on the topic of ICANN auction proceeds CCWG. You have the floor.


ALAN GREENBERG:            I wasn't trying to lead off in the discussion.


OLIVIER CREPIN-LEBLOND:    No, we've spoken about this already. We've discussed it. We just wanted you to let us know because if you can give us an update. But since you were rather lazy, as we know, you're not really spending much time with ICANN matters.


ALAN GREENBERG:            That's true.


OLIVIER CREPIN-LEBLOND:    You missed that part.

ALAN GREENBERG: I wanted to express a little bit of concern on two levels. One is the comments that were received are very diverse. The report did not make a lot of recommendations. It gave options to a large extent. I'm very worried that a fair number of the comments of things like "we should investigate something" a lot.

This is a CCWG that's already been going for a full two years and I just have some concern that it's never going to end. There does not seem to be any real will to make decisions and I don't know how to fix that, and maybe we're part of the problem, not the solution. The ALAC position did not, certainly on the form what form should this new entity or something or other be, we were as diverse as everyone else is and we didn't come out and make a specific recommendation. Many other people did make specific recommendations but they're often opposite from each other. I just have some concern that this is going to be a never-ending process and we're putting a lot of energy and resources into it and I just wanted to express that concern.

I don't know what Sebastien had said that may be similar to what he said or maybe different, but I just worry about where this is going. I also think two years into the process, we need to look at who we have as representatives and make sure that they're all still in a position to commit time to it because things may well have changed in people's lives. That's all the comments I wanted to make.

OLIVIER CREPIN-LEBLOND: Thanks very much, Alan. Sebastien Bachollet?

SEBASTIEN BACHOLLET:      Thank you, Olivier. I didn't say that, Alan, I fully agree with you. We need to find a way to go ahead and [inaudible] this work. My concern was how we organize staff to do the work. We have a long document to study and I was suggesting that maybe we could [inaudible] four, five, six pieces to give the responsibility to each of the members of the main participants of this CCWG from At-Large. Thank you.

ALAN GREENBERG:      Thanks. I certainly have no problem with that. The only problem we always have is finding people who will put the work into it and understand that this is a document for At-Large, not an opportunity for just voicing their own opinion. That's the difficulty for having anyone comment on any public comment on these kinds of things, and the same in this case of analyzing public comments. But I support the concept.

OLIVIER CREPIN-LEBLOND:      Okay, thanks, Alan. Thank you, Sebastien. Any other points or comments on this topic? Not seeing very much life, unfortunately, on this. So, if anyone has a suggestion, please follow-up on the mailing list or maybe I'm not quite sure how we can do this. I can see that Jonathan has got a good answer here. If we wait long enough, the board will simply take the rest of the money. They'll use it to fill the potholes on the ICANN driveway.

ALAN GREENBERG:      Maybe the better use for the money.

OLIVIER CREPIN-LEBLOND:     Who knows?

ALAN GREENBERG:     There seems to be an assumption that if there was enough community wisdom going into the process, the money will be spent well. I'm not 100% sure of that.

OLIVIER CREPIN-LEBLOND:     With the best of intent. Okay, thanks for alerting us to this. Please follow this up on the mailing list. I realized not everyone is here and there may be others who are unable to make it on tonight's call – or tonight for me, but today or this morning's call for some – that might have an idea of how to respond to this and how to move forward on this.

Right. I think that's the end of this call, if there is no further other business. Jonathan, is there anything that you need to bring up for discussion at this point?

JONATHAN ZUCK:     No, I'm good. Thank you.

OLIVIER CREPIN-LEBLOND:     Okay. Well, thanks, everyone, for a great call again. Thanks to everyone who has been drafting and picking up the pen and doing much work on these statements. I think this group is doing excellent work and it really

is a pleasure to have those calls every week. I hope that you are also enjoying the calls and we're certainly seeing some good movement forward.

Today's call will exceptionally end on time, which is quite incredible, but there you go. So, thanks, everyone. This call has now ended. Thank you. Have a very good morning, afternoon, evening, and night.

CHERYL LANGDON-ORR:    Thanks, everyone. Bye for now.

ANDREA GLANDON:    Thank you. This concludes today's conference. Please remember to disconnect all lines and have a wonderful rest of your day.

**[END OF TRANSCRIPTION]**