

**Zoom Chat Transcript**  
**IRP-IOT Meeting – 11 February 2020**

10:56:17 From Bernard Turcotte : hello all

11:00:41 From bburr : hello all

11:00:47 From Chris Disspain : greetings

11:01:00 From Susan Payne : hello all

11:01:05 From David McAuley (Verisign) : Hello all

11:02:02 From Chris Disspain : YAY!

11:02:08 From Chris Disspain : Becky + 1

11:02:09 From David McAuley (Verisign) : Thank you, Becky, most kind

11:02:35 From David McAuley (Verisign) : and thank you, Susan

11:05:04 From Helen : I will update mine

11:05:14 From Helen : Or submit one, in the first place

11:05:19 From David McAuley (Verisign) : good point, will do Susan

11:05:23 From Malcolm Hutty : Hello all, sorry for joining late

11:06:40 From Greg Shatan : Hello, all

11:06:47 From Brenda Brewer : see SOIs on Wiki here;  
<https://community.icann.org/x/XgeJBw>

11:07:12 From Greg Shatan : As a New Yorker, I find that everyone speaks too slowly.

11:11:32 From David McAuley (Verisign) : It was Dusan Popovic who had to drop  
from group for unforeseen work related reasons

11:11:48 From Susan Payne : thanks David

11:14:37 From Mike Rodenbaugh : In my recollection, there was NOT very significant  
discussion on many issues, as there was not very significant participation in the group.

11:15:18 From Mike Rodenbaugh : And it was heavily weighted by ICANN lawyers

11:19:00 From Kristina Rosette : Thank you.

11:20:27 From Robin Gross : For some reason, there wasn't high community interest  
demonstrated in public comments

11:21:06 From Chris Disspain : I agree Robin but that's partly because it's very legal  
stuff I suspect

11:22:18 From Susan Payne : thanks David and Bernard, that would be really helpful

11:23:24 From Kristina Rosette : My recollection is that most SGs/Cs submitted comments, and ALAC, too. Thanks, David and Bernard.

11:27:08 From Nigel Roberts : sorry to be late ..

11:30:36 From Bernard Turcotte : 2016 Public comment staff report  
<https://www.icann.org/en/system/files/files/report-comments-irp-supp-procedures-02aug17-en.pdf>

11:30:55 From Bernard Turcotte : Not very informative but does show the focus of comments

11:33:35 From Kurt Pritz : In our first meeting, David provided a list of “Work to be done.” What is the overlap between that and what Samantha just presented. Is that one of David’s bullets?

11:34:33 From Bernard Turcotte : summary of comments on time to file public comment can be found at  
<https://community.icann.org/display/IRPIOTI/IOT+Meeting+%2342+%7C+29+November+2018+@+19%3A00+UTC?preview=/97845417/99485163/IRPP-IOT-PublicComments-June2018-ResponsesV1.2.pdf>

11:34:40 From David McAuley (Verisign) : Kurt, in my view what Sam just spoke to would be part of finishing supplementary rules of procedure

11:34:41 From Mike Rodenbaugh : I am now representing clients in an IRP re .hotel under the new rules.

11:35:13 From Kurt Pritz : Thanks David - so, one of the bullets on the list you presented.

11:35:19 From David McAuley (Verisign) : yes

11:36:28 From David McAuley (Verisign) : woops

11:36:35 From Kristina Rosette : I'll type.

11:36:39 From Kristina Rosette : I'm having audio issues.

11:37:22 From Bernard Turcotte : Most of the decisions regarding the interim rules were decided at the meetings of October 9 and 11 2018 and the wiki pages are:  
<https://community.icann.org/display/IRPIOTI/IOT+Meeting+%2340+%7C+9+October+2018+@+19%3A00+UTC>

11:37:48 From Bernard Turcotte : and  
<https://community.icann.org/display/IRPIOTI/IOT+Meeting+%2341+%7C+11+October+2018+@+19%3A00+UTC>

11:38:14 From Kurt Pritz : Thanks

11:38:20 From Bernard Turcotte : Please the Decisions section

11:38:31 From Kristina Rosette : One new issue and one addition to existing. New - conflict of interest. Current configuration seems overly narrow and wouldn't take into account a situation in which the potential IRP Panelist doesn't have a material relationship with one of the parties, but has a relationship that is materially adverse to one of the parties. Addition to existing - I suggest that we take a broader view of consolidation/joiner than is flagged in the potential issues list.

11:39:41 From Mike Rodenbaugh : On the last call I raised new issue re precedential value of prior IRP decisions. And I would raise another one around transparency of documents — both discovery from ICANN, and publication of correspondence, pleadings etc.

11:40:01 From Flip Petillion : It's ICDR's practice to address this well.

11:40:47 From Flip Petillion : My comment is @ KR's

11:41:12 From Bernard Turcotte : will arrange a google drive

11:41:45 From Susan Payne : Thanks Bernard

11:43:47 From David McAuley (Verisign) : One of the bullets I presented was possible additional independence requirements for panelists - see bylaw 4.3(q) - it could cover conflict of interest topic that Kristina mentioned

11:45:15 From Malcolm Hutty : @Mike The issue of precedent is probably inter-related with the issue of appeals. We haven't really addressed appeals yet, but IIRC we are called upon to do so. It's much easier to have a fairly strict rule of precedent for a "lower" tribunal if there is an appeals tribunal above it which is not bound, or not bound so tightly.

11:45:41 From Flip Petillion : Thx Susan

11:46:31 From Mike Rodenbaugh : @Malcom. Maybe... I'm most concerned that ICANN lawyers just flat out ignore prior precedents that are supposed to be binding.

11:50:54 From Kurt Pritz : 1. We have a list from Sam  
2. We have a couple other suggestions from this team

3. We could allow a week for members of this team to raise other issues.

4. To review public comment, the members of this team could review the last round of public comment and identify topics that should be discussed taking into account all the circumstances. (Is there a staff summary in existence?)

11:52:06 From Helen : That seems very reasonable. I think the prior IOT put in a lot of work and to re-hash or re-litigate all their decisions does not seem like the most efficient path.

11:55:52 From Bernard Turcotte : Nov 2016

11:55:54 From Arasteh : Helen +1

11:55:58 From Kristina Rosette : It ended in February 2017 (the first comment period)

11:56:43 From Bernard Turcotte : 2016 Public comment staff report

<https://www.icann.org/en/system/files/files/report-comments-irp-supp-procedures-02aug17-en.pdf>

Not very informative but does show the focus of comments

11:57:30 From Bernard Turcotte : 2018 June 22 - Public Consultation (22 June to 10 August 2018): <https://www.icann.org/public-comments/irp-iot-recs-2018-06-22-en>

11:58:32 From Flip Petillion : We are two years later ...

12:00:51 From Chris Disspain : that makes sense Susan....

12:03:01 From Kristina Rosette : I support Kavouss' suggestion that we start with Translations.

12:05:34 From Chris Disspain : nous semblons tous d'accord ;-)

12:06:42 From Bernard Turcotte : time check - 24 minutes left in cal

12:06:47 From Bernard Turcotte : call

12:07:01 From David McAuley (Verisign) : I support the suggestion to start on translations as per Susan and Kavouss

12:07:19 From Flip Petillion : Timing seems much more important

12:07:54 From Chris Disspain : Probably true Flip but important to build the team and working methods before tackling the knotty issue of timing

12:08:26 From Flip Petillion : Absolument

12:09:05 From Kurt Pritz : I think starting with a straightforward issue such as translation is a perfect idea. Here is a thought born of naiveté, I wonder if, relatively early in the game, whether we could undertake any remaining issues with the Standing Panel criteria - with the idea that this task could be split off and ICANN could start the recruitment while we finish the rest of the work.

12:10:04 From Mike Rodenbaugh : Agreed with Kurt. It's been six years since Standing Panel was required by Bylaws...

12:10:11 From Robin Gross : Good idea, Kurt.

12:10:21 From samantha.eisner : @Kurt, there aren't active tasks for this group on the standing panel at the moment

12:10:39 From samantha.eisner : There will be training materials needs, but that is in a bit

12:11:23 From David McAuley (Verisign) : and maybe additional independence requirements for panelists

12:11:31 From David McAuley (Verisign) : independence

12:11:48 From Mike Rodenbaugh : IOT will have right to review whatever ICANN comes out with next re Standing Panel

12:12:02 From Kurt Pritz : Conflict of interest was raised by Kristina

12:14:15 From Kurt Pritz : In any event, I raised the issue of the Standing Panel for scheduling purposes only. Didn't mean to open it for discussion.

12:14:52 From Arasteh : Mike +1

12:17:40 From David McAuley (Verisign) : nicely done, Susan - thank you for stepping into leadership. and we have a topic to start work on - translations, n'est pas

12:17:55 From Mike Rodenbaugh : Thanks Susan for taking on role of Chair!

12:17:56 From mikesilber : @David +1

12:18:17 From Kristina Rosette : Thank you, Susan! Talk to everyone in 2 weeks!

12:18:26 From Becky Burr, ICANN Board : Thanks to all!

12:18:31 From Helen : Thank you Susan

12:18:32 From Flip Petillion : Thx Mercii Dank u

12:18:35 From Bernard Turcotte : bye all