

IRP IOT Meeting, March 23, 2017

- Discussion of Public Comments on Supplementary Rules (con't):
- Background Bylaws provisions:
 - 4.3(a): IRP intended for following purposes: ... (vii) Secure ... just resolution of Disputes.
 - 4.3(n)(iv): The Rules of Procedure are intended to ensure fundamental fairness and due process ...

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Joinder-related issues (Section 7 of Draft Supplementary Rules):

- From appeals of other panels.
- Joinder - Procedures Officer or IRP panel decision?
- Page limitation for written statements.

Joinder-related issues

- From appeals of other panels (Bylaw 4.3.(b)(iii)(A)(3)):
 - Fletcher, Heald & Hildreth:
 - Actual notice to all original parties to an expert panel under appeal.
 - Mandatory right of intervention to parties to expert panel under appeal.
 - Right for such parties to be heard prior to IRP granting interim relief.
 - GNSO-IPC:
 - Any 3d party directly involved in action below can petition (panel or provider) to intervene as additional claimant or in opposition to claimant.

Joinder-related issues

- Joinder - Procedures Officer or IRP panel decision?
 - Dot Music: Joinder/intervention/consolidation issues should be decided by IRP panel, not by a single Procedures Officer. Panel best positioned to judge.
 - GNSO-IPC: Requests should be determined by the IRP Panel and not by a Procedures Officer.
 - GNSO-RySG: IRP Panel should determine whether panel or PO makes the call.

Joinder-related issues

- Page limitation - written statements (Section 6, Draft ...Rules):
 - GNSO-IPC: Multiple claimants should not be limited collectively to the 25-page limit for written statements – individual page limits should apply.