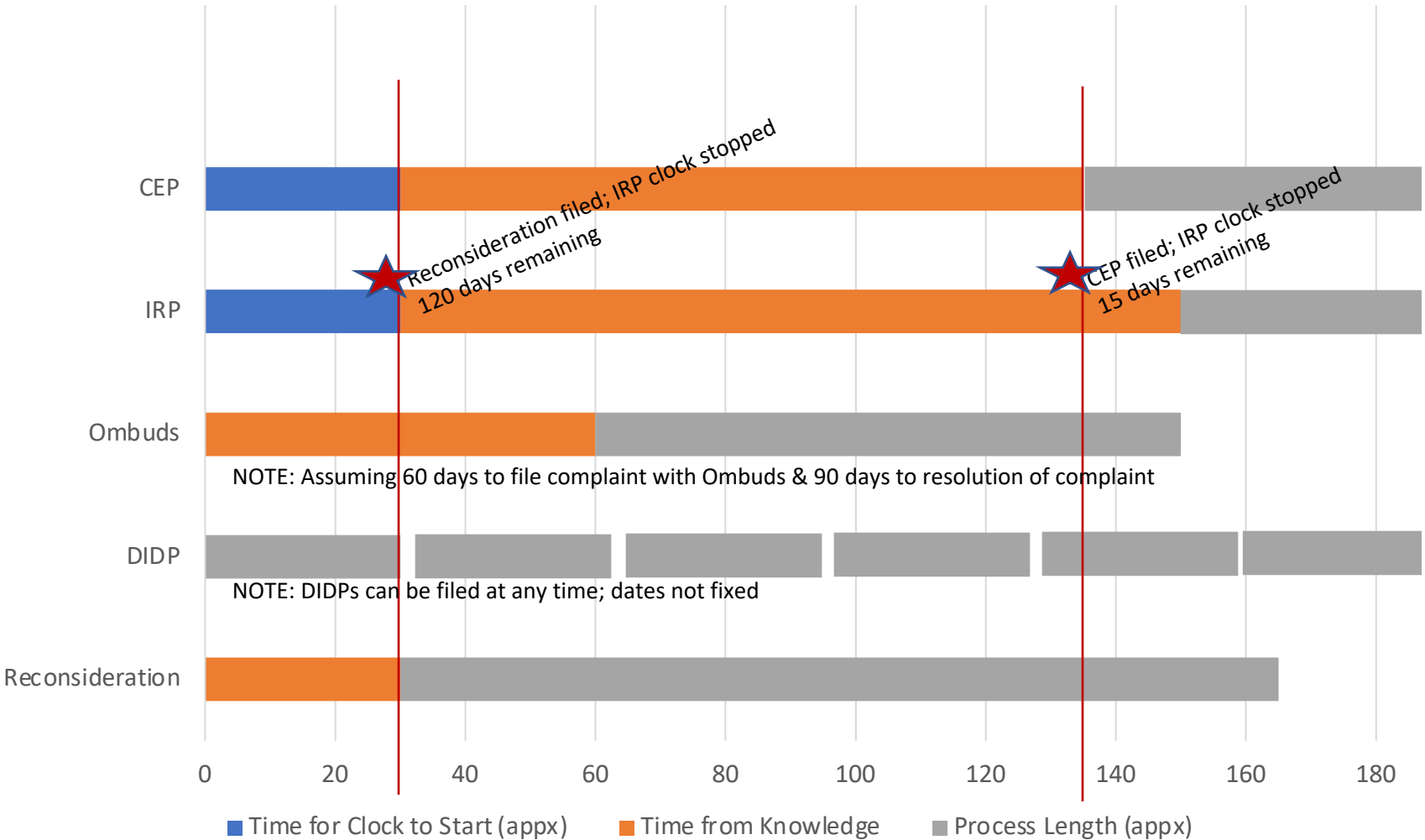


Time Frames for Accountability and Other Mechanisms



*CEP/IRP Time for Clock to Start for Board actions assumed from publication of minutes; for purposes of chart, assumed to be 30 days after resolution posting

Tolling Considerations

- Current tolling: CEP initiation required 15 days before end of IRP filing deadline
 - CEP tolls the IRP filing; guarantees 15-day window to complete IRP filing process after close of CEP
- How much time is “too much”?
- Stopping the clock as opposed to considering time remaining to file
- Under a full “stop the clock” - assuming maximum times with no overlap:
 - 30 days (Ombuds or DIDP) + 135 days (Reconsideration) = 165 days of “stopped clock”, with full 120 days remaining after stopped clock
 - 285 Days to file from knowledge

Tolling Considerations

- Considering purpose and relationship between Accountability Processes. They are all different.
 - Ombuds: Fairness
 - Reconsideration: Process issues
 - IRP: Violation of Bylaws/Articles
- Not sequential in Bylaws; using supplemental procedures to make sequential represents a de facto change to Bylaws
- All 3 Bylaws mechanisms have existed together since at least 2002

Tolling Considerations

- When is ICANN put on notice of intent to file IRP?
 - Transparency and accountability aspect
 - Should any tolling take place without notice?
 - Impact to other processes/pressure on other processes
 - Many DIDPs have nothing to do with later accountability uses
- What concerns exist that could not be addressed through tolling in CEP process?
 - Purpose of tolling: to reduce issues for IRP
 - Purpose of CEP: to reduce issues for IRP
 - Still have ongoing Ombuds investigation? Awaiting outputs of Reconsideration? Trying to learn additional information? Why can't these be raised as issues in CEP?