Appendix G – Legal Documents

1 In their role as counsel to the CCWG-Accountability the law firms Sidley Austin and Adler & Colvin have provided a number of memoranda, charts, and legal reviews of report text. In this Appendix, the group presents key advice – presented in documents, emails, and on audio during CCWG-Accountability meetings – that was essential in the process of producing the Final Report and each of its interim draft iterations. These are presented below in a compiled version from each of the prior drafts.

2 There were over one hundred requests for advice submitted to the CCWG-Accountability’s Legal Counsel, all of which were mapped in a table on the public CCWG-Accountability wiki.

Key Advice – Final Report (18 February 2016)

- Indemnification and Advancement of Expenses – 10 February 2016
- Assessment on Bylaw language (“duly taken into account”) – 25 January 2016
- Memo on Director Independence – 16 December 2015

Key Advice – Third Draft Report (30 November 2015)

- Sole Designator/Community Enforcement Vehicle Implementation – 6 November 2015
- Community Enforcement Vehicle Implementation – 2 November 2015
- Comparison of Enforcement Mechanisms between Models – 16 October 2015
  - Summary Comparison of Enforcement Mechanisms between Models – 16 October 2015
  - Three-Column Summary Comparison of Enforcement Mechanisms between Models – 16 October 2015
- Community Powers with Opportunity for Future Governance Review – 16 October 2015
- Current Corporate Status of ICANN under California Law – 12 October 2015
Key Advice – Second Draft Report (3 August 2015)

- Chart of Mandatory Statutory Member Rights Relevant to the Community Mechanism as Sole Member – 30 July 2015
- Options for Board Replacement in the Event of Full Board Recall – 18 July 2015
- Empowered SO/AC Membership & Designator Models with Community Mechanism as Sole Member Model – 17 July 2015
- Description and Comparison of Empowered SO/AC Membership and Designator Model – 07 July 2015
- Updated Legal Assessment: Revised Summary Chart and Governance Chart – 16 June 2015
- Use of Unincorporated Associations in ICANN Governance – 03 May 2015
- Overview of Community Powers – 24 April 2015
- Response to Questions Re: Unincorporated Associations – 23 April 2015
- Legal Assessment: Executive Summary, Summary Chart and Revised Governance Chart – 23 April 2015
- Updated Sidley Austin, Adler & Colvin Joint Preliminary Analysis – 10 April 2015

Key Advice – First Draft Report (4 May 2015)

- Use of Unincorporated Associations in ICANN Governance – 03 May 2015
- Legal Assessment: Executive Summary, Summary Chart and Revised Governance Chart – 23 April 2015
- Legal Assessment: Proposed Accountability Mechanisms Preliminary Response to Legal Subteam Templates (Work Stream 2) – 20 April 2015
- Legal Scoping Document – 19 March 2014