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RECORDED VOICE: This meeting is now being recorded.

UNKNOWN SPEAKER: And [inaudible], I'll let you take off from here, right where you left off.

LORI SCHULMAN: Hello. Yes, I want to welcome everybody to work stream two, guidelines for standard of conduct, presumed to be good faith when exercising removal of ICANN Board members. It's a lot to say, so I think we'll refer to ourselves as guidelines for good faith conduct. This is our first call, we'll have to [inaudible] to the fall, and hopefully be ready to produce a report.

I don't know by Hyderabad, but certainly within the next few months. I'm asking if Brenda would take attendance of the members of the group? And to ask for any updates to FOIs.

BRENDA: We will take attendance based on the Adobe Connect names. We do have one phone number listed ending in 1465…

LORI SCHULMAN: Yeah, that's me. That's my dial [inaudible] couldn't connect through the audio.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

BRENDA: Then we'll just take attendance with the names. Thank you [inaudible].

LORI SCHULMAN: So I wanted to take this opportunity, again, we're a small group. I think most of us probably know each other, but there are some members of this team that I don't believe that I know, I would introduce myself and ask the team to [inaudible], and part of the introduction to state why you're particularly interested in this work stream, this particularly subgroup.

There are many subgroups diving into a lot of intense issues. I saw that this subgroup was a little on the lower end of the description. So I am curious, a small group, what attracted you to this particular topic. My name is Lori Schulman.

I work for the International Trademark Association. I'm the Senior Director for Internet Policy for INTA. I've been part of the ICANN community off and on since I think 2002. I originally started as a participant in NCUC, and the NTOC, and I've been an advisor to PIR, which I believe many NCUC participants have over the course of years.

I'm now working for INTA. I'm also Treasurer of the IPC. So I'm very steeped in ICANN policy and have been. I was a member of, an observer to the CCWG and a member to the extent that I would follow calls, and prepare position papers for my organization to take it to the [shins?] accordingly regarding the efforts in the transition, particularly regarding accountability.

I've decided to become more active in work stream two, because I really feel this is where the rubber hits the road. This is where the deep change and knowledge that I think I possess as someone who has been around non-profits and non-profit governance for many, many years, sort of my background is, in general, counsel to large US non-profits.

I felt that my expertise in this area might be particularly helpful in work stream two. I chose this particular subgroup and volunteer to lead it because I believe this is where, again, the ultimate exercise of community power will happen, Board removal. This is the extreme. This is where we get to have the accountability that we've been striving for. So I think creating the guidelines standards, having them meet a test of good faith and diligence is extremely important.

And really the key, the foundation of everything else, I'm very proud and honored to be part of the group. And if anybody would like to raise their hand to introduce themselves to the group, I would be most appreciative.

Leto. Thank you for raising your hand. I'll call on Lito.

RAFAEL LITO IBARRA: Okay. Thank you. I'm Lito Ibarra. I live and work in El Salvador. And I'm also part of the Board, of the ICANN Board. As a matter of fact, I'm the liaison for [this group?] and the Board. And [inaudible] of the community, of the ICANN community, and the Latin American and Caribbean community, regarding internet [inaudible] names and numbers.

I handle the dot [SB?] ccTLD in El Salvador. And also, I am a part of Latin [inaudible], so I have to do something with [inaudible] addresses and [inaudible]. So that's my background. I've been to some ICANN meetings in the past.

So now I'm here. Of course, I am interested in this group as a community member for the [inaudible] accountability and [inaudible] stuff. And also because currently, [inaudible] part of the [inaudible] of ICANN. So that's my presentation. Thank you.

LORI SCHULMAN: You're welcome. Alan?

ALAN GREENBERG: Thank you very much. During the CCWG accountability, when we were talking about this, there was a strong push, particularly from the Board, or Board members in any case, to say that we could only remove Board members for a particular cause, and those causes had to be listed. I guess I was probably the main protagonist opposing that, and saying that in general, if we're likely to remove someone, it's going to be for a more ephemeral reason than they violated the law, or something like that, for which we really don't need special rules.

But just that their direction does not coincide with what the group that appointed them is, or you know, a much more generic thing than a particular set of causes. So we ended up not having a requirement to have a particular reason or rationale for eliminating someone, which then they could perhaps oppose and, you know, defend their actions,

but to simply have the group that is requesting the removal give their rationale for why.

And that as guidance to these groups, we should put down some expected standards of behavior, for what we expected of directors, and this is the group that was charged with doing that, and since I was giving part of creating the need for this group, I'm here to talk about it. Thank you.

LORI SCHULMAN: Okay. I have to respond to what Alan, I'll leave them to the end, because I think that goes to the sort of explaining the task. Cheryl, please introduce yourself.

CHERYL LANGDON-ORR: Thank you Lori. Thank you very much. My name is Cheryl Langdon-Orr. And hailing from the Antiquities down in Australia. I've been involved in all sorts of things in ICANN for all sorts of years, pretty much since the start of it. But from a work stream one CCWG point of view, this was one of the topics that I found of particular interest. I'm somewhat disappointed, Lori, I must say, that it is a small group, because I agree with you.

I think this is where rubber hits the road, and of course, having worked closely with Alan as another one of his ALAC members in the CCWG, now in work stream two as well. This is a matter that our community is taking very, very seriously. So, looking forward to do good work on this.

LORI SCHULMAN: Thank you Cheryl. Avri.

AVRI DORIA: Hi. My name is [MUSIC]… Whoops. Sorry. [CROSSTALK] Music that automatically turned on when I started talking. My name is Avri Doria. I'm a researcher. I've been involved in various things at ICANN for a bit now. I signed up for all of the groups, and therefore I signed up for this one as well.

Part of my reason for singing up for all of them was the ATRT connection, and basically being there to sort of research any issues that might be related to ATRT content that are being discussed.   I'm interested in all of the topics, I'm kind of interested in the horizontal picture to what we're doing about accountability, all the way through this process.

And yeah, I'm just interested to see what we come up with, and to be helpful if I can. Thanks.

LORI SCHULMAN: Thank you Avri. [Inaudible].

UNKNOWN SPEAKER: Yeah, this is [inaudible]. Yeah. I'm [inaudible] non-contracting house in the GNSO Council. And of course, I'm very, very interested in the accountability in general, and [inaudible] really, this is one of the groups that actually defines key criteria, I would say, that's why I'm very interested in this specific one.

LORI SCHULMAN: Thank you. Is there anybody else who would like to speak?

Thank you. If not, I'll go to the explaining the task, because this is where, I believe, I want to respond to some of the comments that Alan made, so that we have clarity on the team. I did not participate in the initial discussions on this. I read the report, the staff report, I read the accountability proposals, many hundreds of pages on it.

And my understanding, in terms of what this group has been asked to do, as it conflicts a little bit, I think, with what Alan has said, but maybe not, because maybe there is actually two work streams inside this group, and that's what I want to clarify.

My understanding of the task is, that in order to exercise community power, to bring in action through removing one member of the Board, or any combination thereof, or the entire Board, that in order to do that, and to be immune against a counterattack, a lawsuit from a Board member, let's say, for an accusation of defamation, or any sort of accusation that a member of the entire community, or a member of, an appointed member of a SO AC group, is somehow legally liable for their actions to try to remove a Board member.

In order to have the indemnity, that's been built into the bylaws, and if anybody would like a qualification on what indemnity means, I would be happy to explain that. And Alan, I see your hand is up, and when I finish my sentence, I will definitely ask you to chime in more, so we can have a full discussion.

But my understanding is that in order for this indemnity, in order for a member of the community to be protected from this counter-claim, that there would have to be guidelines for how this action is brought. And reading the report, there were some proposed guidelines that talked about making sure that accusations are verified, making sure that diligence has been done in general, that whatever charges are being brought, whatever the charges are against a particular Board member, that it's being doing essentially in good faith, and by the right people, at the right time, following the right process.

And that it was up to this committee, or this subgroup, to decide what is the right time, place, process, and clearly enunciate them in understandable guidelines, hopefully not too legalistic, in order to review a Board member. To the point that Alan made initially, when I read the remit of this group, I too had, what I thought, was a confusion, oh, are we talking about what standards do we expect from the Board?

And from my point of view, as ICANN is still based in California, still subject to US law, under US law there are three duties that a Board member must exercise at all times in acting as a fiduciary for ICANN, and they have a duty of loyalty, a duty of loyalty, a duty to obey, and a duty to care, and how, you know…

There are [inaudible] ICANN bylaws and procedures, that there is a duty of care, and that would go to their fiduciary responsibilities, and how they handle money, the budget aspects of ICANN. And loyalty, making sure that there is no conflicts of interest.

This was my understanding of Board fiduciary responsibilities in a non-profit context, in a Californian non-profit corporation. That being said, ICANN is now embarking on a model of governance that is untested. I'm not aware of another organization that will have this specific type of framework, this specific type of community accountability with an empowered community, rather than members, which is what you would traditionally find.

So therefore, while the Board members are still held to these very sacred duties, at the same time, there are issues here that maybe, you know, unique to ICANN that we would also consider. To Alan's point, if a Board member has been appointed by a particular interest or constituency in ICANN, and the goals of that constituency not being met, is that a breach of duty of care?

I mean, I think you can probably throw it in, probably almost any instance could be thrown into one of those three buckets, duty of loyalty, duty of care, duty to obey. So I'm going to ask Alan to comment on sort of my comments, and my understanding of what this task is.

ALAN GREENBERG: Thank you. There is a requirement somewhere in the huge accountability recommendations that we draft expected standards for the Board members, so they know what to expect. Maybe it's not this group, and maybe I extrapolated incorrectly for that. You are correct that the report says that members of the community, and specifically designated members of the community, it's not any man or person who walks up.

So each AC and SO will have to say who is it that is speaking on their behalf. Those people are indemnified by ICANN for any action taken against them, as long as they are acting in good faith. Now, in my understanding of good faith, is relatively simple. If I accuse Lori of being an ax-murderer, with no evidence whatsoever, that's not acting in good faith.

On the other hand, if I say, I want to remove Lori because she is not acting in accordance with how we believe the At-Large Director should be acting, that's a rationale which would stand. So, yes we are expected to define good faith in a little bit more clarity than just my glib, one glib sentence, but that doesn't mean we are defining the causes and explicitly, there is no caused mentioned, because you know, cause for dismissal is something you can take legal action against, but rationale is required.

And my understanding is there are no limits to what that rationale could be, and if we go back to the discussions at the time, you know, there were a number of directors who even agreed that yes, it could be something pretty frivolous, but it doesn't have to be defended. So that's my understanding of the indemnification issue, and what is within grounds and what is not.

LORI SCHULMAN: I have a follow-up question, Alan. So the Board member says, okay, it could be for something frivolous, as long as it is done in good faith. The charge could still move forward. [Inaudible] that sticky that it could be for anything. I mean, I would imagine it's got to be sort of a minimum

standard. I take a legalistic approach in saying, you know, if a Board member has breached any of these three duties that I just enumerated, that's a breach, that's a cause right there, and what constitutes that could be, you know, an infinite number of behaviors.

And one of those behaviors maybe, I have not acted in accordance with the tenants of my constituency. You know, say I'm a member of the IPC and I get nominated to the Board, and I'm on the Board, and I say, yeah, let's get rid of the UDRP and all trademark rights and issues forever. I think my constituency would have a little problem with that. They may want to remove me.

ALAN GREENBERG: I believe the example that was used at the time, was if we want to remove our director for wearing purple pants, that is within our right to do.

LORI SCHULMAN: Okay. But there needs to be a good faith process for how you reach that rationale, in terms of defining…

ALAN GREENBERG: No. We may come under ridicule from the rest of the community for removing a director for purple pants, but it's within our right to do it.

LORI SCHULMAN: Okay.

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ALAN GREENBERG: Now, the only rationale, the only defense would be, you know, demonstrating that the person has never worn purple pants in their life, I guess, would be an adequate defense of that, and counter to it. But that's the level of frivolousness which I believe could be contemplated should a group be stupid enough to want to exercise that.

That's my understanding of the intent of the recommendation as it was written. Again, I may be wrong, but that's certainly my understanding.

LORI SCHULMAN: Okay. So then my question becomes then, the bar that we're creating, we're creating the bar on the movers side, on the remover side. We're going to set a bar, whatever that is, high bar, low bar, medium bar, but in terms of what the Board behavior is, we don't look at that behavior. That that's agnostic at this point, to your point.

It can be any behavior, but as long as we are following our prescribed procedures, our prescribed diligence, our expected standards, that is sufficient to bring the action. Can I see a raise of hands to see if they agree with what I just said?

To know if I'm hitting the right point here? Thank you. Okay. So I think that is very important, and we're enunciating even more, and [inaudible] in whatever report we come up with, because I think there is a lot of confusion in the community about what it is that we actually have to do.

And there were some things in the report that I had, in terms of explaining our task, that I had some questions about. As well, Holly [inaudible] in her report, emphasized that it was important to create a process that does not have a chilling effect on the community. That there should be a fairly well defined with due considerations, and that perhaps the guidelines that we create should be for all discussions, not just with the Board.

And that's, I have to tell you a question, that was raised in my mind. Well, what do you mean guidelines for all discussions? I don't think necessarily this is about guidelines for discussions, as much as it is about guidelines for how we rationally move to remove in non-performing, or a maleficent Board member, rather than discuss it.

We have guidelines, we have ICANN standards of community behavior for participating in work groups and discussions. But I am curious, if any of us who read the report, and who were initially in the work stream one conversations about this, could create some clarity around, what do we mean guidelines for all discussions, not with the Board?

Do we mean removing anybody in a position, a volunteer position within ICANN? Not a staff member? Because I think there is, I personally think those are two separate issues, and I don't think I would be so concerned about these standards is applying to anybody but interaction between the community and the Board.

I'm going to… Alan, yes? Or is that an old hand?

ALAN GREENBERG: No, it's a new hand. Certainly some groups within ICANN have rules and processes for removing people, certainly the ALAC does. And you know, those are within our own domain. We are allowed to set our rules, and obviously we're held to following them. Other groups, I suspect, have no such rules at all, and I'm not quite sure what they would do if they wanted to remove someone, if they could or not.

So this is very much about directors, and what the process, how the process would unfold if we're trying to remove a specific director appointed by an AC SO, the NomCom directors, or in fact, the whole Board.

And the… It's important to remember that directors act in the interest of the corporation. And again, I'll use At-Large as an example, but I presume it applies for the other ones, for all of the other appointed directors. We pick a director at least partially because we believe that director shares common values with us. You know, we would probably be stupid to pick someone who, you know, outwardly and clearly opposes everything we stand for. Why would we do that?

Similarly, the NomCom appoints people who they believe would be in the best interest of ICANN to, as a whole, to have as a director. Removal would be, if we believe those three rationales are no longer true, implicitly for one reason or another. We've changed our mind, or we've changed the minds of whoever did the original appointment, to rescind that appointment, and now we're talking about the process by which we could do that.

So, the director for At-Large is not obliged to represent us. As a matter of fact, the director is not allowed to represent us, because in her case, the fiduciary duty is towards ICANN, not At-Large. But nevertheless, there was a history of how that person was appointed, and a change in circumstances may cause us to rescind or want to rescind that appointment. So, that's how I look at it.

LORI SCHULMAN: Okay. I actually think that puts a level of complication in this line. I mean, we'll have to talk about how we address that, because I really that, my personal view is [inaudible]… My personal view is that once you appoint a Board member, and their fiduciary does shift to the corporation in a different way than it's a volunteer from the community, to Avri's point in the chat, you know, Board are paid members of the community, unlike other participants.

I would actually agree to expand on that a little bit, because my understanding is that the Board is given per diem, like other community members perhaps are paid higher per diem, or they're in a nicer hotel, but that generally speaking, they serve as volunteers. And this payment is really a per diem, rather than for time. If I misunderstand that, I certainly would like some clarification of that.

And then to Avri's question about what we mean by good faith, the way I would interrupt good faith, is have we acted diligently? Have we done our homework? Have we followed our own guidelines and procedures that we will set up? And that hopefully, the CCWG will approve that recommendations, and that they will get approved at the Board level,

that this is an understanding that this is how the procedure and the behavior will be conducted, and failure to follow these procedures then becomes not good faith.

It's not act of good faith, unless the procedures have been followed. So I was just wondering, Avri, if you wanted to comment more about your comment, Board are paid members of the community…

AVRI DORIA: Sure.

LORI SCHULMAN: Thank you.

AVRI DORIA: I don't know that it necessarily matters, but the reason why I brought it… Oh, and this is Avri speaking. The reason I brought it up is because we were comparing them to other volunteers, and yes, Robin is absolutely correct, our only remit as directors, but to go even further, I don't think we can compare them partially because of the authority they hold, which no other volunteer has.

Every other volunteer makes recommendations. NomCom may be a little bit different, but every other volunteer just make recommendations or gives advice, cannot make decisions. Certainly decisions that are binding in any sense, but it is also the case, I believe, I don't think I'm wrong about this, that all Board members are enabled to get a, I don't know whether it's called an honorarium.

I don't think it's properly called a salary. But they do get a chunk of change in the 30,000 a year range, for their service, if they are willing to accept it. So whether they accept it or not, it is a paid position. Thanks.

LORI SCHULMAN: Okay. Thank you for the clarification, Avri. I see Rinalia used the term compensation. Cheryl used the word stipend. So there is some measure of compensation, it's not a salary. Thank you.

So, it seems like we do have an agreement about what the task is. The task is about standard behaviors for the community, not standard behavior for the Board. I think just having that clarification up front will help inform the rest of the work.

The next item… Does anybody have anything to say [inaudible], explaining the task, at least lightly, in this first call? Anything that we may be missing before I move on?

Avri, is that an old hand or new hand?

Okay, I'm going to say it's an old hand. And I'm going to go to number four on the agenda, and that is expectation for deliverables. Those of you who are in other work groups, may have seen this information before, but we are expected to produce a report. That report will go to the CCWG plenary.

And then it will go out, depending on the feedback we get from the plenary, will then go out for public consideration and feedback. The format of the report is prescribed here, an executive summary, a description of the issue, the current state of play, the supplemental

report, which I presume is a staff report that we're reading. Brenda, if you could clarify with any other reports, but I took that to mean the supplemental report was the staff report prepared after the submission of the work stream one proposals.

Recommendations, what we recommend. We should keep that simple, and we should keep it clear.   And the rationale for these recommendations. And then we need to assess our recommendations. Having the NTIA criteria. Are the recommendations compliant with the recommendations from work stream one?

I'm looking in the chat. Again, we're chatting a little more about what the compensation is, whether or not it's taxable. I guess the conclusion that we could draw here is, well there is some payment, and it's certainly not payment [comparable] with ours, and the amount of time, but at most it would be looked at as more like an honorarium rather than an actual salary or payment in exchange for services, that's probably a good way to categorize it.

So the report that we're looking to do is to be drafted by the team. It's not to be drafted by the staff, as rapporteur, of course, by taking the responsibility of making sure that it's done, coordinated, and perhaps even do the first draft for the group to look at.

We may also decide perhaps we want to take part, to break this report up into three different sections once we have agreement from the group, or create an outline, but we can talk about that as part of a work plan, moving forward.

After looking at our deliverable, I have a fifth item here called special concerns of the group. And here I wanted to get feedback from the group, based on reading the report, conversations we've started, whether there are any special concerns that we should note up front, in terms of how we are getting the work done.

And I have a concern as a rapporteur. I had sent to this group the PowerPoint presentation that was given to the rapporteurs, to the expectations of how the group is to be run, the work product to be produced, and the timeframes in which they will be produced.

One of the proposed methods of working was to determine whether the issue that we're looking at, would be considered a lighter topic or a heavier topic. Lighter topics are expected to take faster… Actually, according to the proposed scheduled, we would have already had a draft of our recommendations by now, but I will tell you that I need an executive decision in this case, by letting us have August off and not scheduling calls in August.

When I sent out requests for interest in terms of scheduling meetings, scheduling times, there were issues of people not responding. A Doodle poll that I sent out apparently didn't get sent out to everybody, or it may not have got sent out at all. We're not sure what happened. But my queries to the group about getting started in August and suggestions of meeting, were met with a low volume of enthusiasm.

So that being said, I thought it might be wise to just let us start a little later, but let us start fresh, having had the summer off. And I think there is plenty of time to get the work done. That being said, reconsider

this is a group, a lighter topic or a simpler topic. What I might do is, there is a schedule here that for lighter topics that we should have our final output in January 2017, and for heavier topics push out the due date to June or July of 2017, rather than January.

And I wanted to get a sense from the people on this call, in terms of the amount of work involved, whether you consider this a lighter or heavier subject. Anybody like to comment?

Alan.

ALAN GREENBERG: Thank you. I think it's a lighter subject, but at the same time, I think it's one of lesser importance compared to some of the things that… Many of us are involved in many of the work stream two groups, and this is one that I think we could do at a more leisurely pace and it won't, we won't suffer from it.

So, although I don't think it's one of the more onerous and complex ones, I think it's one which could do with a lower level of work, and that puts it perhaps into the same timeframe as, you know, as the ones in which have a further out target. That's my take, anyway. But I'm looking to try and make my life a little, my life more sane. Thank you.

LORI SCHULMAN: Right, I understand that, and appreciate that. I know that Avri, and Robin, actually I think almost everybody on this call, is involved more than one subgroup, except for myself. I made the decision when I decided to be a rapporteur, that I was fully focused on an initial, on one

topic, rather than try to engross myself in many, particularly because I'm from a membership organization and my numbers are monitoring, and in fact, sharing some of the other groups.

But yeah, if we feel, as a team, that we want to go at a slower pace, even though we may be considered a lighter subject, I don't necessarily have a problem with that, but I certainly would want to report that to the plenary, at this point, so they understand. Cheryl, I see your hand is up.

CHERYL LANGDON-ORR: Thanks Lori. Cheryl Langdon-Orr for the record. I agree that it's a less complex issue. Hopefully, I should touch wood when I say that [inaudible] ICANN meeting. But I'm sure that we shouldn't try to aim for the January because of that. For the firm rationale, as Alan was given, but with a different outcome, I suppose, I just see, and I'm committed to all of the groups as well, and rapporteur in one of them, our more complex material is going to be the heavy drafting, redrafting and deliberation end, moving up to the June/July planned endpoint.

And I think if we can get at least [inaudible] getting this work to put bed to the January timeframe, that may allow us to do our drafting and final deliberations, that the rest of the topics, which are more complicated, are still, you know, fluffing about in a very… I have to watch myself there. I said something inappropriate for the transcript record. Fluffing about, there we are. [LAUGHTER]

I'll stop now before I say something even I might regret.

LORI SCHULMAN: We could always bleep it out, I'm not sure. I don't know if there has been a bleep. Does anybody else have any opinions on this?

I think we can certainly get the bones together. I think I had [inaudible] honestly. You may have call schedules for every week, I'm not committed to keeping the call to an hour long. If we don't have an hour's worth of work, we don't have an hour's worth of work, but I would like to keep the timing, you know, keep the times reserved if we do need the time.

But I don't, yeah, as efficiently, we can do this, we can do this. So I guess my next question is, we go to the next issue on the agenda, which is establishing a work plan here. And we can do this a couple of different ways, I mean, one way is we can go back and basically ask the members of this group, independently, to draft what you think the guidelines ought to be.

Forget about the whole report, but this is what happened. There is a Board member, something has happened, whatever that something is. It doesn't even really seem to really matter, but there is a Board behavior that is warranting at least investigation, if not an actual move to remove this member.

And will it make it…? The other question, it just kind of popped in my head too, make a difference whether we're aiming to remove an individual, a group of individuals, or dump the Board, would that make a difference? I don't know. But perhaps if everybody creates a list, continues a list through the list serve.

I could just start, you know, collating it, together, to put the bones. That might be the easiest way. Alan, you have your hand up.

ALAN GREENBERG: Yeah, my hand was up regarding timing. I was just… I had the comment that since there is just barely a month after we get back from Hyderabad until many people start disappearing, or becoming less available for the Christmas and New Year holidays, January 17th may be a bit tight, but certainly that is no reason to wait until July.

LORI SCHULMAN: Right. And then maybe, yeah, we aim for, you know, Copenhagen…

ALAN GREENBERG: Yeah, or even February, but all I'm saying is January 17th may be a bit tight, but it shouldn't take months and months after that.

LORI SCHULMAN: Okay. I like Cheryl's let's have a go. Yeah, let's have a go. Okay. So, at this point, I've explained about the regular calls. We've expressed some concerns we have. We've explained the task. We have the outline for the deliverables. So I am now interested in sort of how we think we might want to do this work plan. I don't know. I'm kind of open to the suggestion that if we take the next week to think about, you know, what do we think?

We read the report, go back to the… Just act individually, what we think is the right process, send them all to the list and I will collate them into an initial draft. I'm willing to do that. And then we can talk about it. Unless someone has another idea about how to do this. And I will take it upon myself, at least to start the report to the extent that I can start drafting a description of the issues. Right?

Because that's just, here is where we are, this is what our report said. I will volunteer to do right away, to do a description of the issue. And what I'd like to do is take the next week and come up with some recommendations independently, group them together, and start collating them.

Once we have them, then we can go onto the assessment phase. And does anybody have any sense of, you know, how much time you think it would take? We get the recommendations, or adjusted recommendations drafted, whether it would take two, three, four calls to get them to a place where we want to assess them? Or another approach is, if we come up with the bones in the first week or so, when you submit your suggestions, do you want, at the same time, submit an assessment?

Here is my suggestion. My suggestion is that we have this tiered step process, and there is levels of investigation, and this is how it meets the [inaudible] criteria, and this is how it complies with work stream one. Would you rather just get the recommendations all done, and then get to the assessment? Or, one recommendation, assess the recommendation, one recommendation, assess the recommendation? We can do it either way.

Any thoughts? No thoughts. Preferences? Okay, maybe we just take a vote at this point.   For those who would prefer to do the recommendations first and the assessment later, raise your hand, versus doing the recommendations and assessment of each recommendation as you propose it.

Okay, am I not answering the question clearly?

ALAN GREENBERG: Lori, it's Alan. There are a limited number of people on this call to start with.   So I would suspect you present the options via email, and hopefully we can get some response that way, and at least we know everyone on the mailing list has had a chance to look at it, rather than trying to make a decision right now.

LORI SCHULMAN: That's a good suggestion. Thank you. I will do that. I will tell you that I'm inclined to just make the recommendations, what we feel will be appropriate, based on our own personal knowledge, history. I feel like I have an unique knowledge in terms of, as I said, just working with non-profit Boards as a council.

And I know there are other people here with unique knowledge based on how much input they had on the CCWG, or their own activity as a Board member, perhaps in another venue. I do want to ask Rinalia and Lito if you'll also be submitting recommendations? Or at this point, you would be more observing?

Because I actually would be interested in hearing what your recommendations would be, but I'm not sure, in this context, whether or not you had anticipated making recommendations.

Okay, I see Rinalia's answer, "We'll consult with the Board and get back to you."

RAFAEL LITO IBARRA: I don't think I have any…

LORI SCHULMAN: Yes, Lito?

RAFAEL LITO IBARRA: Yes. I was going to say something like that. We don't have any recommendations at this point, but we will get back to you.

LORI SCHULMAN: I think it would be extremely helpful to have Board input at this stage, and have a collective thinking about this, so that there is nothing that… I know you're here to liaise to the Board, so nothing should come as a surprise to the Board, but having that early input, I think would be extremely helpful to the group.

Okay, so I will ask this group for two follow-up items. One, to think about what your recommendations would be. And when you think about them, to submit them to the list, just so we can start the dialogue. How we collate them moving forward, we'll figure out. And

at the same time, I will, well you know, maybe we need to go back and I need to do my job first, and that would be to ask the list which way we're going to do this.

So let's [inaudible]… I will send a request to the list asking which way they prefer to submit recommendations. But at the same time, I will ask this group to start thinking about specific recommendations, and be ready to submit something within the next week to 10 days to the list.

Thank you Rinalia. I know the Board is particularly busy. I know there are a lot of issues surrounding the transition at the moment. Washington right now is just abuzz, there are developments that are certainly interesting to say the least, and certainly I will tell you, just anecdotally, we follow these issues very closely.

[Inaudible] lobbyist and I do not think that the delay would get as far, [inaudible] get as far as it has, and we support this transition. So we're a little bit of shock as well. This seems to be gaining more ground, so everybody is watching.

But that said, I don't expect this to slow down any of the work we're doing, and I'm still quite hopeful that at the end of the day, right minds will prevail and that transition will happen on October 1, but we're watching.

That being said, yes, as soon as the Board can provide something that would be helpful, but to the rest of the group as well, the next 7 to 10 days are, I think, would be a good pegging point, [inaudible] getting recommendations, updating the bones, started.

It's 3:50, I'm going to ask if there is any other business. Would anybody like to raise any other issues? If there is anything that we've discussed that is confusing that we should go back and reiterate?

So I'm going to ask, how many people would like to end the call now? I see a show of hands for that. [LAUGHTER]

ALAN GREENBERG: Suddenly we're alive.

LORI SCHULMAN: Yes, everybody is alive. Okay. All right. Well, I think this was a very productive first call. I think we got, you know, some key questions really out of the way, quickly, which is great. And I know that we're a small team, but we are a power team. When you see who is on this list, it's some of, really, the most engaged and the most knowledgeable people we have at ICANN.

So again, I'm really honored to be coordinating the group. And really look forward to producing an excellent work product that we can be proud of. So, have a great week. We'll reconvene in a week, and I will send an update to the list, and I will prepare my report for the plenary. Thank you.

[END OF TRANSCRIPTION]