

From: Samantha Eisner <Samantha.Eisner@icann.org> **Date:** Friday, September 23, 2016 at 3:18 PM
To: Herb Waye <herb.waye@icann.org> **Cc:** Amy Stathos <amy.stathos@icann.org>, Chris LaHatte <chris.lahatte@icann.org> **Subject:** Re: CCWG Ombuds Sub-group

Hi Herb—

There are particular mechanisms through which, in the naming functions agreement, the Ombudsman will have the responsibility to get involved with complaints within PTI. This is particularly around the issues of customer complaints. This does not equal “jurisdiction” over PTI, but it does call for Ombudsman involvement in some of the PTI work. There is nothing within the transition proposal nor the contracts that dictates that the Ombudsman is expected to view the PTI work differently than the other items that come to your office. With that, the Ombudsman is likely able to assume that any customer service complaints escalated through the PTI process and reaching the Ombudsman, are to be considered based on an evaluation of fairness.

PTI's work is solely directed by contracts with ICANN. With that nexus, we are comfortable that the PTI Bylaws do not have to be updated to specify the ombudsman role as it relates to PTI, as the responsibilities are tethered to ICANN's contracts.

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Samantha Eisner
Deputy General Counsel, ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094
USA
Direct Dial: +1 310 578 8631