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>> BRENDA BREWER: Good day. This is Brenda. I see that someone just joined as anonymous. Can I please add your name for recording purposes?

>> EDWARD MORRIS: It is Ed Morris. I am trying to get in on the Adobe and I'm having some trouble.

>> BRENDA BREWER: Okay.

>> Okay. Thanks.

(Beep.)

>> CHERYL LANGDON-ORR: Hi Cheryl here. I will be in the AC shortly.

(Beep.)

>> Hi. Good morning, all.

>> EDWARD MORRIS: Hey everybody, it is Ed. Since we are so few at the moment, we are going to wait for five minutes before we start. Thanks.

>> Hello.

>> EDWARD MORRIS: Hi everybody. It is 5 passed the hour. This is Ed. Why don't we get underway. Welcome to meeting No. 4.

>> This meeting is now being recorded.

>> EDWARD MORRIS: There we go. Thanks for starting up. We have a ton of slides and I just want everyone to know no, we are not going to work through 40 slides today. I just wanted to give folks a heads up of what lays in the future. I see that Anna is here. Anna and I since our last meeting we have interviewed generally together 11 folks. We have folks who have been involved in CEP from the community. If you recall we were having major problems getting any data. CEP records are confidential. We can find out who has been in there but we can't find out what has been going on. Since it has been awhile I thought we could go over what we are supposed to be doing and take a look at the bylaws. Everyone should have scrolling available. So if you go to the second page of the slides that's the agenda. So I -- by the way if you don't have your -- I believe everyone here has the SOI updated. If not, please do so.

We do have regrets from Patrick Glennahanon who had a health emergency. I want to go over the timeline and talk about the bylaws and remind everyone what the CEP's role is in the accountability structure. Take a look at the mandate we have from workstream 1, talk about what we have done previously here and then hopefully start getting in to some of the substance. I hope when we get to that point since we are a small group we can get participation from pretty much everyone. So for this meeting to be fruitful.

So moving on to the next slide, there are two options for subgroups in terms of how to actually meet the deadlines and get all this done in fiscal year '18. You look at the top timeline, that's a timeline for one public comment. Bottom timeline, to have two public comments. To have two public comments we would have to be complete with our report by the Johannesburg meeting. That's not going to happen. We have to produce our subgroup drafts by the October Abu Dhabi meeting. You can expect weekly meetings passed Johannesburg. Our next meeting will be next week, same place, same time.

Next slide, I want to remind everyone where we are, what the CEP's role is in the new bylaws. We are actually under the IRP process. And just a quick review, if you look at 4.3 EI the purpose of the CEP is to try to resolve or narrow the disputes. It should be conducted pursuant to the CEP rules to develop community involvement, et cetera, et cetera. That's our charge, one of them. Move on to the next slide, that's the economic incentive for folks to participate in the CEP. If you decide not to participate and you lose, the IRP panel may award ICANN costs. A lot of folks when we get to the interview they don't want to participate in the CEP, they do so because of the economic value.

Next slide and this is a bit new. The CEP to date until the new bylaws did not include a provision for mediator. We now have that. Two clauses. First you can terminate the CEP if one of the parties request the inclusion of a mediator and then we talk about where mediators come from which is from the standing panel among those panelists who will not be selected for the IRP. So that's where the bylaws justification for the CEP comes.

Next, so again to review the bylaw concepts there is a cost incentive to encourage participation. There is a mediation provision, but one thing I want to note, when we get to the interviews there are a lot of folks that didn't believe that using the standing panel would be a good idea. We will have to talk about that. And we have the CEP rules which are to be developed by the community.

Next, what are we supposed to do in our subgroup? We have been charged with the following. The process must be governed by clearly understood and prepublished rules applicable to both parties and subject to strict time limits. In particular the CCWG contractibility will review the CEP as part of workstream 2. So when you put those two together you come up with the next slide which what are charges. We need to review the CEP, and we need to develop the initial set of CEP rules. Now what have we done in the past, in our past three meetings and -- well, we went to the Plenary and the suggestion we might want to pursue some structured negotiation within the context of the CEP. Something not as formal as a mediation or arbitration. After all we are a prelude to that. Something more formal than what we have now which is the folks go in to a room and lock the doors and what happens, happens.

We were also told, and Alan came up with this idea, that we should review past CEP decisions, processes and procedures. Unfortunately, that's not really possible in a formal basis because everything is confidential and okay. So what we decided to do is in talking to staff myself and Anna Loup is here. We decided to reach out to the community and ask for them involved in the CEP to sit down with Anna and myself and talk about the process and procedure. And we reached out to board members who showed an interest in CEP. And we reached out to ICANN legal who is the ICANN party and every CEP to date. And we conducted a bunch of interviews. And that gives us data to work with. If you look to the next slide what I am going to propose, I want to get some feedback, once I finish with this proposal we now develop CEP rules. It could be the final output or devise the rules themselves. How do folks feel about that as a way forward? Anna, thank you.

>> ANNA LOUP: This is maybe because I am a little bit

tired. Could you clarify a little bit when you say guidance for CEP rules what you are envisioning there as a steppingstone just to clarify that? It may be me being a little bit tired.

>> EDWARD MORRIS: No. It is me not being exact enough. It is coming up with the rules themselves, clause A and clause B, the actual legal language that we can say this is the final document, this is what you use. We come up with -- let me give an example, it might be easier this way. We decide that we want to have certain deadlines. We put that in the principles. What we don't go so far as to actually write the legal document itself, at least initially because once you start getting involved in the minutia of legal language it will tie us down to the point that we may not get this done this time. Bernie, your hand is up.

>> BERNARD TURCOTTE: Sorry. I'll come off mute and it will go better. This could be germane to this discussion. We have been, me and staff have been talking with the cochairs about various components to ensure we get done by the end of fiscal year 2018 which is the end of June 2018. It does look pretty good that we will get the extension. All the chartering organizations except for the CCNSO has supported the extension. The CCNSO will do so I believe in Johannesburg. And we have been in contact with them and they have no objection. It is a question of timing. We are hoping to get that for 2018. The Plenary has published a proposal for how we are going to wrap this up. And that's gone through a first reading. And it is currently in the mail list for the Plenary to get a second reading done since we didn't believe it was worth calling everyone in for a meeting tomorrow just for that.

One other point we have been talking about is something very close to what you are talking about here, in that, you know, we have noticed that some groups are trying to take this to a level of detail that is absolutely, you know, infinite. That's not going to work. It is not going to work for a lot of reasons. It is not going to work because ICANN's responsible for the implementation. And if you have created something that's so tight that they have no room, A, they are going to be concerned about approving this because they are going to be stuck with implementing something which they may have concerns with. And I have to commend ICANN. I have been very good at responding to public comments on things. And really being clear about exactly that issue. Second we have noticed in some groups that they go in to details or implementation before really getting their concepts very clear. And so we have been working with them to bring them back. So all of this to say, you know, just getting the concepts cleared away, agreed by everyone and being very clear is a great job, let's focus on that. I think you would do

well with that. And if we have got time, let's go on and take it one more level. But this thing is very consistent with what has been discussed at -- in other areas. And I was just providing this as background as we are getting this started again. Thank you.

>> EDWARD MORRIS: Thanks very much, Bernie. Anna has her hand up. Anna.

>> ANNA LOUP: Yeah. Thanks, Ed. It is Anna for the record. And I completely agree with what Bernard said. Completely agree. Having a basic set. I think it would be good to find a way to garner a little bit more participation in this group if we have something very sort of basic, you know, sort of not this hard and fast wording as well as sort of implementation guidelines and very basic. And this may be a way for us to get more people involved, more input. Because I think what will happen if we do have a finalized version we will get a lot of critiques at the end from something that we can't change. We will provide some flexibility which we will talk about later, the idea of having flexibility in CEP guidelines and principles.

>> EDWARD MORRIS: Thanks. Fantastic. Bernie, your hand is still up. May I ask your in response, Bernie, do you have any suggestions for how we can up participation in this group? Thanks.

>> BERNARD TURCOTTE: It goes better if I come off mute. That's exactly why I put my hand back up. Listen guys, a few of us have been beating up on these kinds of things for a really long time, like Cheryl. And really I think with the approach you are taking right now, Ed, that's a great first step. The moment you start putting down a draft, and I'm going to take it back one step from what Anna said, yeah, you publish it for public comment and you are going to get all sorts of comments. And yes, it is encouraging. It is a lot more practical to have more people up front with it. And I think there are a lot of ways we can do that. But one fairly consistent thing is that up until now people were excited about the other subjects. Some of the other subjects are starting to wrap up and that's fine, but what drives participation uniformly across all these things is you put down a position. I'm not talking about putting it down in great detail. I'm not talking about putting something down for public consultation, but you put down sort of a vision paper, one or two pager about I think this is where we are going to, and then all of a sudden it gets real for people. And you will start seeing your group coming back to you. And I think even more so because people would be, you know, interested in debating a point.

The problem is in a lot of these things is, you know, too many people participate in too many things and they don't want to

invest the time to come up with a solution. They don't mind talking about solutions and arguing about things that they don't think will work and providing logic for that. But they just either don't have the time or the energy and most of these people have day jobs, let's remember. So that's the problem.

So I can only encourage you to not worry about that at this point and just really keep going at it. And if we can come up with a two pager, and I'll be bold here, if we can come up with a two pager one week before Johannesburg that sort of describes the vision about where we think we want to take this, I think it would be great to put it in the Plenary. And we can talk about it in Jburg for an hour. And I think that will stimulate a lot of interest for when we get back from ICANN 59. Thank you. I hope that's helpful.

>> EDWARD MORRIS: It is very helpful, Bernie, and that's actually what I was -- where I was headed. If we could go to the next slide, if there is no objection, what I would like to try to do this week and next week, by the end of next week make it through the slides we have here and come up with some basic ideas and call them the CEP principles. You notice I have seven different areas where in the interviews we have folks commenting and that fit in to our mandate and basically would form the bulk of the CEP rules. What I would suggest we do as few as we are we go through the interview responses and go through each of these areas and come up with ideas as to where we are headed. And those of us who want to will create that one or two-page document and present it at the Plenary as a way of bringing folks in to more involvement in these issues. Thoughts? Anna. Thank you.

>> ANNA LOUP: This is Anna for the record. I would be happy to code the interview notes that we have. I know I have gone through them and I sort of sent them to you. But now that I actually have a house and am living in D.C. now I have a little bit more time. So I'm happy to code the sort of interviews so we can get main themes, if that will help us have a concrete position that really draws from the interviews that we can then if people -- if we do present it at the Plenary, where did you get this, we can go back and very specifically point out and say well, in this interview you are, we had four interviews. They use the same terminology or you know what I mean. So we have concrete evidence that's supporting our position and it doesn't come off we came up with this idea vaguely from these interviews. It is based on the interviews. I can help with that.

>> EDWARD MORRIS: The numbers are great. But we are also looking at the timeline we have two meetings. We do have to come up with some positions as well. A combination of trying to

talk through these things with the numbers is the best approach. What do you think? If we wait for the numbers to come in we have a half hour today and an hour next week. We have 90 to 100 minutes to go through these areas and come up with concrete positions and as well our take does not have to be what we get from the interviews. That's more to stimulate discussion in that the interviews themselves weren't -- we didn't get a whole sort of represented cohort, et cetera, as you well know.

>> ANNA LOUP: Yes. Personal methods. We didn't quite get there. But yeah, I think having a good balance, of course, I was just thinking as a way if during the Plenary does come up that, you know, we can really point to the evidence. Yeah. So I'm totally for a balance.

>> EDWARD MORRIS: And I think if people see -- my take from talking to other members of the community is there is some frustration in some of the larger groups with, you know, things going around in circles with arguments. If we can show a little bit of data that we are doing this in a structured, positive manner I think we are going -- we don't need 400 people but four more would be nice. I think we can pick them up. At least I hope so. So why don't we keep going down this path. Why don't we keep going down the path and see what we can come up with and go from there.

Now I'm on the next slide which is an interview which explains what we did. There were 11 interviews that we conducted. Anna was there for two of them due to conflicts. Thank God you were there because there is no way I could have done them by myself. We interviewed seven community members who responded to our call on the Plenary for volunteers for those who had been involved in CEP and four board staff members that had knowledge of and responsibility or interest in the CEP. So I think the broad consensus, the next slide, no one that we interviewed would throw the bomb at the CEP. Everyone thought it had some value, although if we went in a certain direction, that maybe they would prefer not to have it. If, for example, we get too formal, too many rules was a response. There was a general broad consensus that the CEP does or could have some value.

And second to something and, Anna can correct me if I'm wrong, something that came through are virtually everyone we spoke to, was that whatever we do here we need to have flexibility. One size does not fit all. Each case is unique. So the last thing both community members and staff board members wanted us to do is come up with a solution, a reform of the CEP that would be highly structured, highly rule based. And since Anna was there for the interviews did you get that take from the folks we talked to as well?

>> ANNA LOUP: Yes, I definitely -- I got that as well. It

was one of those things -- sometimes they hadn't thought about the idea of flexibility but it was very -- they were very loosely structured interviews. They came to the realization themselves, a lot of them that actually I would prefer flexibility. And this was a running theme if it was, you know, at the very beginning stated I want a flexible versus a flexible structure or it was a natural progression in the conversation that we had with them which was very interesting I thought.

>> EDWARD MORRIS: Very much so. Bernie has noted we can stretch the next call to 90 minutes if useful. And Cheryl is mentioning that it might not be good to have it in the middle of her night. We are scheduled in a week at 1 o'clock which would be -- yeah. Yeah. We don't have much flexibility in scheduling the next call. Yes, how do folks feel -- we will get to that towards the end and see where we go because the next -- 11 p.m. for Cheryl. Cheryl, what is the -- you know we have the three times, 0500 and 1300 and the 1900. What are the best times for you? Yeah, me, too. I think that's true for Europeans and North Americans. And unfortunately the 1900s are gone and what I do with Bernie's help is grab a few of those spots post Johannesburg. Bernie said same bat time and same bat channel. Start working on some details that will hopefully insight some other folks.

And we go on to the next section which is a still little bit more or less specific than some at the end. It is the purpose of the CEP. Thanks, Bernie. Bernie will work with me and Cheryl in scheduling in the future. The reason I made this as part of the principles, noticed with some our interview responses stuff, the purpose of the CEP was and the purpose is stated in the bylaws are two disparate things. We have the ability to change the CEP reference in the bylaws but I think the tri chairs they wouldn't be that happy. I wouldn't be their favorite person and I would like to avoid that if we could. So what I'm going to do if folks are willing to do this, I'm going to shut off for about a minute and a half and if you could scroll down to purpose the CEP, there are two slides there, where I took the responses from our notes of anything to do with the CEP's purpose. If you could just read through those to get an idea of what the interviewees were talking about in this area and then we can try to discuss their response, bylaws response and then I have an idea going forward here. Two minutes max if you can take a look at the responses. Thank you.

(Pause).

>> EDWARD MORRIS: I should note that on the interview responses SB means the respondent that made that comment was a staff board member and C is a member of the community.

(Pause).

>> EDWARD MORRIS: Okay. It is Ed here. I hope folks had enough time to take a look at the comments. And if you go in the next slide, I basically restate what the bylaws say we are supposed to be doing with the CEP. That's the purpose of the CEP is to resolve or narrow the dispute. If I take a look at some of the problems, perceptions of folks, I came down with three different categories. One is that we have to recognize that the CEP is not an independent process. That it needs to feed in to the IRP and we need to make sure that link is sovereign.

Second that some people, particularly those in the community are concerned that we lack standards, we lack definitiveness in rules and that's the juxtapose with what we previously talked about, the majority comment that we received that we need to keep as flexible. So I wonder if we can talk a little bit about the purpose of the CEP. Whether it is to resolve, narrow the dispute, but also in the context in trying to achieve those goals what do we need to consider in creating the so-called CEP rules so it does recognize the fact that it is not an independent accountability structure and what type of standards do we need to build in. And let's see if anybody would like to speak to that. Okay. I'll give it a shot.

I think one of the dangers and we start getting in to the substantive issues or folks started to comment as if the CEP were sort of this thing out there on its own and there is concern particularly among staff that we have to recognize that it is a subset of the IRP. Without the IRP there is no CEP and perhaps we want to encourage -- don't want to encourage the use of the CEP in the absence of an intent to go forward with an IRP. Or do we? That's one thing I will throw up for discussion. And the second issue I think in terms of the lack of standards and the new rules in the rules that are needed I think we will be able to get in to that in the substantive areas. Any general comments? Anna. Thank you.

>> ANNA LOUP: Sorry. Unmute my phone. This is Anna Loup for the record. Something I was thinking about when I was reading over these was framing, I think there are two different frames that we are looking at here. One is a cost issue. So to evolve or narrow the dispute and then access issue and this idea of should it be connected sort of intrinsically to the IRP, this may be premature. I am realizing that I may have jumped the gun here. But just sort of looking at there are sort of two different frames that people are approaching the purpose of the CEP as. And it is not split, you know, community or staff board. It is a sort of mix on both sides but you are seeing one sort of side looking very much at the framing of it as a cost issue and one as an access issue, as a precursor to the IRP. So

is this a way to get more people access or is this a way to like lower costs. And I think that that's -- we need to take in to consideration when talking about the purpose of CEP however we state it we are going to be creating a specific frame. And so there are two sides that we should take in to consideration.

>> EDWARD MORRIS: That would be the two issues or costs versus access. I guess I would -- I guess the question I would throw out to you since you have thought about this, should people -- do you have a separate application for CEP? How do people enter here? Right now they just say we are thinking of an IRP and we want to do a CEP. Is that the frame we want to put this in? I guess one of the concerns that some of the staff has raised is their concern that folks will start using the CEP in place of reconsideration. And do we want that? Is there a way to stop that if we don't?

>> ANNA LOUP: This is Anna Loup for the record. Yeah, this is something that I saw when we were speaking with people about that yeah -- they didn't -- it is very difficult to know what people are using the CEP for because it is confidential. So it can be used for a variety of different ways, it could be being used. Enforcement would then be difficult. Yeah. There is this idea of flexibility. So I think the main thing we should focus on is tying it to the IRP. Should the CEP be a gatekeeper for the IRP. And that's something I would be open to discussing a bit more because my background isn't in law. So anyone else on the call I would be happy to hear from them.

>> EDWARD MORRIS: Okay. I'm looking for hands. I will respond if there are none. Yeah, I mean I actually like the gatekeeper terminology. One of the things we need to keep in mind or I think we should keep in mind when we are trying to construct this at this point is that the IRP that we are going to be faced with in coming years is a vastly different animal than the one we have had in the past. The entry cost to an IRP in the past ranges from several hundred thousand to low million. That's no longer the case. ICANN is picking up the cost. In most cases you still have to pick up your own legal fees but ICANN is paying for the structure.

And so one of the -- some folks during the discussions mentioned that they are a little bit concerned that by lowering the entry cost ICANN may at some point be inundated with IRPs. One of the functions of the CEP should be as a gatekeeper try to resolve some of those issues that should be resolved without having to spend the money on the IRP.

Going forward to get us out of this area here I would suggest that in the document, I guess our goal is to get a document for the Jburg Plenary session. I guess what we want to do is restate the purpose in the bylaws and note that it is a

gatekeeper to the IRP. And then also note as Anna pointed out there is duality between access and cost and then leave it at that level going forward for the post Johannesburg efforts. Does that make sense to everyone? Okay. I got a yes, from Anna in the chat. I see --

Olevie, welcome. Herb, anybody else like to comment on the purpose of the CEP or anything we should think about in this area before we move on? Not hearing any dissent or agreement I will take that as an assent I will move on to the next section. The first person we interviewed came up with an idea that took hold with a lot of our respondents. This is a very different variation of the CEP. I am interested in getting a reaction in this section.

First of all, when you commence, is it an independent filing? I think this fits with what we just talked about. Is the independent filing or do you file for an IRP at the same time? When we go in to the interviews comments they don't really talk much about this. If you can move on, we will give you two minutes. Move on to interviews, 1, 2, commencement of action, variation and structure. And we can talk about responses of what we might want to propose and go forward with. Thanks. Two minutes.

(Pause).

>> EDWARD MORRIS: Okay. I'm back. I hope that folks had a chance to look at the responses. So I'll just introduce what I get from this and see if folks want to chime in. Two sections, one is on what we are starting to call the small claims version of the CEP. But let me deal with the other issues first. I think there is a concern in the community at the number of people in the room. There has been the conception that you enter CEP. You come in as a sole claimant and you are faced with the ICANN legal team. You go in there. John and Amy is there and on occasion Sam is there and folks feel outnumbered and outclassed in some ways. And there is a call that you perhaps want to limit the number of people in the room. And secondly is the economic incentive to participate in the CEP. On the one hand we are trying to encourage participation but we did get a response I thought was interesting that it would work better if the people wanted to be there and not this economic incentive. Any comment on either of those two issues? Okay. Seeing none I will note that in the section, in the document that we will prepare for the Plenary. Now on -- hello.

>> ANNA LOUP: Ed, sorry. It is Anna. Yeah, I just put it up. I actually had a few questions. You talked about a number of people in the room, economic incentive. I think also you will probably get to this when you are going to move on, the idea of lawyers, sort of the legal focus and framework. That I

am not as familiar with. So I will table that. But this is -- I was thinking these are very sort of specific issues that may -- we may want to raise as questions in the two pager instead of saying as a statement. It would be something like the presence of lawyers, the number of people in the room, you know -- maybe resaying small claims in a way that's less legal. That seems very formal. Location, right? The idea of would it be over the phone, in person, economic incentive, sort of raising those as a question instead of stating we believe there should be an equal number of representatives from each party as well as ICANN staff in the room or something like that. Raise the question.

>> EDWARD MORRIS: That's actually where I was headed. I should have -- yeah.

>> ANNA LOUP: Read my mind.

>> EDWARD MORRIS: We can't ignore the fact that there are so few people here. The best we can do is go through these comments and try to raise the questions and give folks a idea of what some of the ideas that have been presented are and hopefully we can entice some folks to come in here and help out. I think that's got to be where we are headed with this group right now. Because right now we have two people, a two person conversation with a few folks that are trying to help out the best they can but are involved in some aspects of ICANN. You know, it is a bit difficult for them to get too involved here. So I think that's a great idea. And I think that should be our objective when we are done here.

The other issues as you mentioned, the small claims which again this is a more radical concept because it does change the nature of the CEP. And what it would be this, if you have a -- best illustrated by an example. Say you have a beef or a problem or there is something wrong with what the folks in JDD are doing. Instead of going in to a room with your lawyers and ICANN's lawyers, in a small claims provision no lawyer is involved. Basically the parties, JDD staff, the claimant, provided claimant is not an attorney. You get in the room with the third party mediator and you try to work out your differences. I have come to like the idea. I think there is general support. There were some comments that gee whiz, IRPs are fairly sophisticated. The lawyers will always want to be involved but I'm not sure if that recognizes the fact that we don't know what the IRP is going to be like in the future. Maybe a different kettle of fish. I don't know.

Any comments on that or whether that's something we should pursue? We should ask that as a question and make that as some people had proposed, but any thoughts on it initially at this stage? Okay. I will note that as a proposal of some and we

will put that in question form.

Going forward, neutral third parties, this is an issue that raised a lot of emotions among some of our respondents. There are people that believe the CEP is a disgrace because you have private parties going behind closed doors and no transcripts and no notice on issues that could affect other parties. There are those who believe that if you give a third party the right to intervene or participate you destroy the CEP itself. So again I'm going to give folks two minutes to take a look at the two slides which are the responses of the interviewees to this issue.

(Pause).

>> EDWARD MORRIS: Before proceeding here Cheryl has wrote in the chat that I am initially attracted to the small claims concept but need more contemplation on that. I hear that. The negative responses that we got were from lawyers, which is probably predictable, that wouldn't want their clients to go in to a room. I think if we do it we make it optional but that's a question we can pose to the Plenary.

Okay. Third parties, I think it is almost like a decision tree. Should they be allowed in as a matter of right and that is a question we can pose in our document. Or should they be allowed in if both parties want them to be and feel they have something substantive to offer, I think those are -- I don't recall anybody saying definitely no third parties under any circumstances. So any comments on those issues? Again should we pose that as a question to the Plenary? These are the positions. No third party as a matter of right. Third party -- again there are those who believe that third parties should be able to come in if the topic impacted them. And there is also the consideration and concern that we get for multiple parties that if the issue or dispute that involves a policy that came out of GDP that the GNSO should be invited in the room. Any comments on these issues?

Bernie, I see your hand is raised.

>> BERNARD TURCOTTE: Thank you, Ed. I'm going to take a step back from this and talk a bit about the work that's going on in the IOT. As you have mentioned it is going to be a very different creature than what it was in the past. And that's the mandate we are working on. We were a little surprised by some of the comments. We did not get a lot of comments to our public consultation on the first set of rules. About 15 I guess. But they were excellent comments. They were thoughtful for the most part. They were presented well. Some of the areas seem to be relevant to here. A huge discussion on allowing third parties. And in that discussion the cost and the time involved in doing that certainly came up for discussion. And what I'm thinking to

a certain extent of what you maybe want to consider in the context of the work you are doing here is although the IRP will be a different creature than what has been in the past and maybe the cost will be substantially less, it will still be a nonnegligible cost. And also it is going to take awhile to actually walk your way through this thing.

So one of the considerations is, you know, if you look at it from a time cost point of view on a graph, you have got reconsideration way on the bottom left corner because it will probably come up fairly quickly. And it will cost no one anything to do it. And then more towards the top right-hand corner of time and cost you have got the IRP. So maybe one of the things you want to consider in this context is trying to locate yourself -- I'm sorry, I'm a mathematician. I keep thinking in graphs. You want to consider putting yourself in between those two points and probably closer to the initial one of reconsideration where you could produce something that is quick and less costly.

Now the flipside to that is you want to ensure that you create a process that doesn't get deluged by people finding gum on the floor and wanting to ask for CEP or something like that. So framing it properly is going to be critical. But anyways, just a thought relative to the IOT and I hope that's helpful. Thank you.

>> EDWARD MORRIS: Thanks. It is. I think it goes back to what Anna had mentioned earlier about the CEP being a gatekeeper. That it would be my hope, I'm a little bit nervous about the lowered cost of entry for the IRP. Because what I have noticed in this community is once somebody starts using the accountability mechanism the flood gates open. Way back three, four years ago I was involved in a reconsideration and it had only been two reconsiderations in the previous year and a half. After we did ours and it was trademark 50 and we got publicity for it, the flood gates opened and we are getting 30, 40 a year now. We don't know what the IRP is going to be, but my fear is that folks might be using it less than monetarily significant reasons. Yet ICANN is going to be required to staff it, pay for the standing panels, et cetera. It would be my hope that what the CEP could do is take the low hanging fruit and resolve the issues at that level. I think that is a goal, but don't forget as an entre point to IRP that connection. And we have to talk about subject matter jurisdiction in that the CEP should not be getting involved in issues that would not lead to an IRP. And the IRP themselves are very much restricted to contravention to bylaws, et cetera. I think we are not sort of an independent CEP by we, it is not an independent mechanism, but I do think that as you mentioned it can be used as a lower cost mechanism

to perhaps resolve issues before they start costing the time and money.

Okay. It is four before the hour. So what I'm going to suggest is I put together a fairly comprehensive slide deck where I tried to put the various interviewees comments in the certain sections. I would like to ask folks over the next week to make a look at it. I won't be taking the two minutes to read. And maybe we can get in to trying to create a document for the Plenary and posing questions and introduces the topics that we are talking about in the CEP as a means to try to stimulate something in the wider CCWG and bring some more folks in to help us do the work.

I will over the next few days summarize what we did today and the questions we came up with in the first three subject areas. So if that -- any comments on that approach? Seeing none I want to thank you everyone for your participation today. I apologize -- I'm getting used to sharing groups with one or two participants. It is a challenge. I will do better next time I'm sure, but thanks for being here and we will see you all here next week.

>> BERNARD TURCOTTE: Ed, Ed, before we all go, Ed? Do we want a 90 minute call on the next call or not?

>> EDWARD MORRIS: Yeah, why don't we do that. I want to make sure we have the information that we need to do the document because we are not going to be meeting before Johannesburg.

>> BERNARD TURCOTTE: That's what I thought. It is a go for a 90 minute call next week. Thanks everyone.

>> EDWARD MORRIS: Thanks very much.

(Call concluded at 8:58 a.m. CST)

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