
IRP-IOT MEETING

Thursday, August 17, 2017 - 19:00 to 20:30

>> DAVID McAULEY: Hello everyone I would like to welcome you to the call and you plan to make some comments. Can I ask the recording can be started.

[this meeting is now being recorded.]

>> DAVID McAULEY: Thank you, we are a small group. I think we reached a quorum and I think we reached a quorum it may be a short meeting. Let's run through the agenda and see what can be accomplished. So can I begin by saying we have a list of attendees in the Adobe connect room. Is anyone attending by audio only? By the phone only? If they are, please identify themselves.

Hearing none, I will press on and ask if anybody that is here now has a change amendment To their statement of interest that they would like to note to the group now, please do it now.

Let me prefers getting to agenda item two with this comment. We are a small group to begin with. I think we are capped at 25 our meetings are small group and the month of August are not easy to gather folks anyway. So here is we are today I would like to move forward and create an agenda we will create a record for people to look towards. My hope and personal goal is that we can get these rules done within 8 weeks. Can I ask who just joined by phone?

>> This is Avri joining by phone. I couldn't join by Adobe connective, no idea what number it is, because I'm calling through Skype.

Note: The following is the output resulting from the RTT (Real-Time Transcription also known as CART) of a teleconference call and/or session conducted 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.

>> DAVID McAULEY: Avri, thank you. We are just getting started. I take it you don't have a statement of change you want to note.

>> AVRI DORIA: Nope.

>> DAVID McAULEY: So I know Avri from your mail that you are in South Africa, your time is probably limited. I can move your agenda item up in just a moment if that's something you would prefer.

But

>> AVRI DORIA: I'm okay.

>> DAVID McAULEY: Okay in the meantime I will keep saying that my hope is, we can through the list and through the phone move the rules to first and second reading and my goal is to get the rules done within 8 weeks. Hopefully sooner. There's been a lot of discussion over the preceding months about a lot of them. And there's some difficulties in some of these. But hopefully we will be able to work our way through it.

So, let's move to the agenda item number 2 which is joinder issues.

And let me just recap in the last meeting we discussed joinder. And what led up to the last discussion was the fact I had put on the e mail list my suggested treatment for the joinder issues. And it deals with a suggestion that I put in my email.

Following that, Sam and Liz made some comments and then Liz sent an email furthering those comments, seeking clarification and having some questions and concerns about the joinder issue. And we discussed it on the last call, on July the 27th and you have seen them in the

emails. Basically, if I could sum up what I think is concerns of Sam and Liz boil down to principally was, and Liz you can correct me if I'm wrong, but generally, what he standards would apply to allowing someone to join, you know should the procedures officer apply in allowing someone to join, keeping in mind the role of IRP and the goal of IRP in what a panel is limited in rendering judgment. That is a panel's judgment is generally whether an action or inaction by ICANN did or did not exceeds it's mission, etc. It's not awarding remedies it's not giving specific are performance dictates. So I think their question was what standards apply to make sure that joining parties or joining amicus carry I stay within those bounds how do you control those bounds and, also, if someone is involved in that capacity, how do you make sure what their role is if there's settlement discussions.

And, at the end of all this, when I ask Sam and Liz if they could further elaborate on the list, I think they asked a pertinent question, what is we would like to hear other voices. And I think that's sensible. But since that time nobody else has weighed in. So I think we are moving close to a point where we need to close this issue down somehow. I will give Liz a chance to comment in just a minute if she would like.

But I would like to say if anyone has any thoughts along these lines, they would certainly be welcome now. We have to get this thing rolling. So with all that having been said, I will mention that it seems to me that we could add to my suggestion on joinder, we could add some treatment that would say the procedures officer, in allowing someone to join, must keep in mind the goals and limited remedies available at IRP and with accept to settle. If I can in a claimant settle in such a manner that the IRP case simply goes away without further action, then I think an intervener would not have a say in it. That would be my suggestion. Now I've on spoken a lot and I'll ask Liz if she wants to make a comment about this or anyone else would

like to follow. I see Greg's hand is up. Maybe I should let Liz speak first since I invited her. Then Greg.

>> LIZ LE: Thanks David, I do. Thank you for the summary I think was a pretty accurate reflection of our position which we with preferred via email several times. I think, just to add to what you said, one of our other concerns is just in terms of what the status that somebody joining would receive, whether that's an IRP status or amicus status. And, also, the impact of that on confidentiality issues, impact of that on the timing under certain procedures within the IRP, I think where we last left off last time was you had asked us to take a look at items 8, 9 and 10 on your email, I think it was of July 21. Right in terms of addressing the issues that we set forth as to the impact of somebody of someone joining on interim relief and on the timing of interim relief and the rights of the party and I see that in that you've referenced going back to bylaws section 4.3 S which talks to, about IRP's goal being completed within 6 months and then there's also you have referenced there being discretion of the precedents officers in trying to move it along and taking into consideration all of the nuances that come a long with IRP including intervention but I know where you're going with that. But concern with what has it, are we leaving such a large vagueness for the procedure officer to figure out in terms of just the guidance of here is 6 months or here's what we are thinking. But we're not setting out, for one, the standards by which they should review whether someone should be allowed to join. The standards by which they would grant somebody IRP status or amicus status and what standards with which they would decide in terms of normally what that briefing looks like. Whether someone, how someone can impact that as a party who's intervening. So I think those are some of the concerns that we still have. With respect to these issues.

>> DAVID McAULEY: Okay thanks Liz and Brenda has put up that e mail for me of the 21st and given scroll control to folks. Greg's hand is down. Greg, your point is not one you want to make any more about?

>> BRENDA BREWER: My apology, I lowered Greg's hand to put the document up.

>> DAVID McAULEY: Greg, your hand is back up. Over to you Greg.

>> GREG SHATAN: Thanks. Greg Shatan for the record. Obviously there's a number of issues that here that are significant. I do think David that your I tend to agree with your solutions to the issue. First there's obviously a significant distinction between joining as amicus and joining as an intervening party. And it needs to be clear in that we're essentially that there are two different statuses.

Amicus is non party and amicus has no ability to influence other be part of a settlement. Settlement is really a private discussion between the parties. And I think that it really, I might even go a step further and say that any settlement between ICANN and IRP party regardless of what it the end result of it is, you know is between those two parties. And amicus has no ability to influence that. If we do allow for intervening, then the intervener is a party. In the action.

And you know suppose presumably they could continue the action even if the IRP, the original complainant settled out of the case. That raises obviously some procedural concerns. But, overall, you know, I don't think that's beyond what we are doing. And I thought we at least as far as an intervener, we already have a standard, I believe, if not for an intervener specifically, but then for a party generally, party other than ICANN obviously. So it would seem they would

need to meet the same standard as a party, whatever that is, materially effected or whatever we have as a standard.

As amicus, standards for amicus are generally pretty low anywhere. And you know much an amicus submits anything that is not credible or not highly relevant, it basically just gets dismissed. You know, in terms of its relevance. It doesn't carry forward. So last thing I'll say, I can in many ways genres and in the you are providers is generous. We are not completely inventing the wheel for the first time. So if there's any kind of precedent we can look back at for this kind of stuff. I'm not just considering the current IRP but arbitrary procedures generally we should avail ourselves. Thanks.

>> DAVID McAULEY: Okay, thanks Greg. Let me just, this is David McAuley speaking again. Let me make some comments in light of your comments and Liz.

One is, with respect to looking for precedent or some help, I think that's a good point. And Liz, I would ask you, I think if I'm not mistaken Amy is the one in the ICANN legal shop that may have the most experience with IRP, I'm not sure if that's true. If much there is a person may be ask see if there's indents where a party has joined an a action. And if there's any prior history, in that respect, that might be helpful.

The other thing I would say with respect to Greg and whether a party would meet a standard, there's clearly going to be one instance where a party won't meet the standard here that's with respect to an appeal from a expert panel. Because presumably a loser of the expert panel below is the party that going to be the materially effected. Meaning they allege they have been harmed and the winner below will be able to come in as an intervener in the case and they will

not be materially harmed by ICANN. So they will not have claimant status otherwise. Then our writing of rule to allow them to intervene.

So all of that having been said, I wonder the way forward here. If we don't come up with an idea, the best I can offer is that I read the transcript from this call and the comments of Liz and Greg, solicit more comments on the list, but then within a couple of days, take another stab at that, come up with also come up with a list, and we will just have to hammer it out.

And if someone has a better idea, let me know. I see Liz's point that there's been know intervention in IRPs in the past. I think in this case it's going to be inevitable because of the appeals from expert panel below, if nothing more.

So Greg your hands backup, I'll give you the floor.

>> GREG SHATAN: I think just Greg Shatan again just on the point of an appeal from a expert panel it doesn't tweak materially effected to include the winner below as intervener. Because either they they certainly they would be materially effected by the reversal of the matter of the expert panel's decision. And they you would probably say they would be materially effected if not materially harmed by the decision of the expert panel below. Assuming that they is because if it had no effect on them either way, then it seems they are their relationships to the expert panel is tenuous. So I think we just need the play with those kinds of ways of extending the concept of materially effected or materially harmed to include those kind of analytical sieves or filters. Thanks.

>> DAVID McAULEY: Okay thanks Greg.

I see Liz is typing. I've attempted to move on in a minute to the next let me just take a second to read. Liz writes David we have had briefing submissions by third party seeking permissions to attend IRPs hearings allowed to join.

Thanks Liz. I think what I'll do is I'll do my best to cobble together some kind of solution bolting together pieces we have heard today and previously. And put it on the list. It won't be acceptable, I don't think because of some of the different points of view. But I'll try to present it with enough focus that it will help us move this forward. So where we can look for support for it.

And Liz, in the meantime, if there's anyone on staff that deals with the ICDR, if there's any insight we can get from ICDR with respect to this, it would certainly be helpful. If that's possible and doable I say put it on Liz fairly soon.

So all that being said, we can move to the next agenda item which is Avri's and it's further discussion on the discussion on ongoing monitoring. I want to preface it by saying thank you to Avri for joining us I think it's from a retreat from an organization she's affiliated with in South Africa. So Avri, over to you.

>> DAVID McAULEY: I'm not hearing Avri.

And so, I will invite Avri to step on in and make a comment on this in the event that we have lost Avri for some reason. I will try to handle the myself.

Or to at least bring it up for discussion.

As many of you saw, Avri sent a document to us on email, I think it's was last night. But I can't it was recently. And it deals with the ongoing monitoring and it sort of harkens back to a comment by the ALAC. Which recommend that we gain as we gain experience with the new procedures there be ongoing Monday together of the IRP to continued improvement. We put that down as a comment that needs to be dealt with. And Avri has taken it on. And she sent us this document. Let me summarize it briefly. It's on the screen and you have scroll control. But what Avri does first is she cite a couple of provisions from by law 3 if 4.3 N first section small IOP, IRT will be established in consultation with SOs and ACs. The IRP and IOT and once a standing much panel is established and you are will develop the rule of procedure.

Subsection 3, subsection 2 of that section simply deals with the nature of those rules and is not relevant to this discussion. Subsection 3 of 4.3 N then goes to say, Greg I'll get to you in a second then goes to standing panel in recommend to amendments to the rules as it deems appropriate is no such without board approval and are from that retaken from that time the IOT will not be existing.

Greg do you want the say anything about this?

Okay I think moving on, I guess. Let's move on.

Avri, in addition to implication, I think you Avri puts her finger on a problem. And that is, that the panel, the IRP panel on its own shouldn't be able to alter it's procedures. Without some community input. And I think that makes good sense. By the way, in the documents, the Google document that Avri gave us to cite it too. I made one or two comments and I recognize the implication that Avri took there 5.4 N and it's mentioned in 4.3 J and 4.34 Q and possibly

other sections. So I'm on however not sure I agree with the implication but I agree with the problem.

Avri suggested one way to handle is have ATRT reduce handle this, in which case we might need to seem an amendment so it's mandatory review not discretionary. 2, that IOT continue to function. I think that's the way I read it. But I recognize the problem here. If we continue to function and we are sort of out there on our own with nothing to do, we may look for something to do and that could be an issue. Her third discussion is have the capability of forming an IRT and give it to the council for periodic reviews.

And 4th is that the SO or ACs or panel or empowered community or board or some entity be able to seek periodic review and recreate the IOT or stand it up, you know, on an as needed basis for purposes of reviewing and updating the rules and possibly even the IRP itself.

So, Avri's draft recommendation after the IOT finishes it's current work, it terminates to that the 4.3 n should be amended to recognize that and then add a section to 4.4 to sort of effect the reviews. I would like to see if anybody here has a comment on what Avri's proposed. I'm sorry, she seems to have lost her connection, to explain this a little bit better than I can. I'm certainly not explaining it as well as she would. But if anyone has a comment or insight on this, you suggestion, please step forward and make it now.

If I hear none, I'll simply mention that I agree with Avri that this whole area, I think requires some clarification. And so, I think what I'd like to do is as I mentioned before, I don't take the same implication that Avri did. To on me the way I read it is the IOT did carry forward but that's not a good solution either. So I do agree, I'm not in disagreement with her suggestion, I'll mull it over and I'll come on the list and give my this will be my second action item. I'll come on

the list and give my thoughts on it in the next couple of days. But it sounds like a sensible way forward. Any way forward here to gain some clarification and ensure that the standing panel is not making it's own rules without community oversight or community involvement is the watch word here.

So, I'm going to move to the next agenda item. Unless somebody wishes to speak? But seeing know hands and hearing none, let's move to item number 4.

And that's additional comments issues I sent one a long dealing with standing materially effected. And I think you have all seen that email. This is something we have discussed before. And I'd like the get it to first reading. And when I say that, and we have a small group on the phone what I mean is that if we agree with it here, I'll mention on the list within the next couple of days and in when I mention it on the list I will say to those who were not in the meeting please let us know if you have uniqueness or objections within the next 3 days or whatever it is. All of which would be in the next week at which time we would move this into the first reading column if there's no objections.

And first reading column by the way is now on the sign up sheet. First and second reading.

And so, you have seen my email, Malcolm has indicated he didn't have a real concern with it. Mike Rodembou asked a question I'll speak about in moment. What I'm suggesting is the following.

The present rule on standing is simply the definition of claimant in the rules and the definition of claimant I'll read it is an illegal or natural group oriented tee that is not limited to the empowered community supporting objection or advisory committee that has been materially

effected by dispute. To be materially effected by dispute the claimant must suffer an injury or harm directly connected with the alleged violation.

I stated before that I thought we should change this with respect to eminent harm as was requested. And my suggestion was that we revise the definition of claimant that I just read. I'm sorry, not that I just read but in the rules.

Can I ask who joined us by phone?

>> BRENDA BREWER: Avri

>> AVRI DORIA: Avri.

>> DAVID McAULEY: Hi, thank you. Very much I appreciate your persistence. We have gone through the agenda item on ongoing monitoring and I read through and tried to summarize the email that you sent and Google document that you link to. And I concluded by saying I'm probably agreeing with you. I'm not sure. I don't take the same implication you did but we do a problem here we can't have the IOT rolling off into eternity. And we can't is are a standing panel making rules without community involvement or oversight. That's what I said. And the floor is back to you if you want to give more color and context on all on of that.

>> AVRI DORIA: Sure. Yeah no I think that that's basically what I said. That's why when I got down to crafting a first try at recommendation is one is basically just adding it to the list of things that need to be reviewed and at which means basically sticking up similar to don't call it that within the same five year cycle that's why I created a separate phrase for it at C and that one that basically says, you know that okay where is it in front of me? I should have it in front of me. Yes that in cooperation with the review team chosen by the supporting organizations,

etc. and comprised of members that's the same phrase that had been in the current foundation. Right? The IRP should periodically review. It's that. So basically taking in the notion that it is a joint activity. And putting it in the same five year cycle.

You know, and then using that same phrase on periodic reviews, conducted, you know I guess it should be this periodic review because it only refers to C. But basically so paralleling the text from 44 A on this.

It seemed to be the simplest solution without creating new mechanisms, without saying that the EEC does it and therefore giving them extra duties. Without having us continue. The reason I said there's an implied changes is because I guess once we came to a distance, there's no reason for this to be mentioned in the bylaws anymore. The fact that we will do this. Because we will have done it. Now perhaps we can leave that dead thing in the bylaws but I was thinking there's going to be a lot of small changes made to the bylaws as we finish the whole WS 2 to cleaning up 4.3 in terms of the first part about creating the IOT, cleaning that out, and then, adding the reviews would essentially solve the problem. It's wouldn't there are for be independent forever. It wouldn't be static. If they saw a problem, clause is still in there for them to initiate. So that's why I thought that was is simplest solution.

>> DAVID McAULEY: Avri, thank you. David speaking. The context you gave helped me understand your document better.

And I can get behind what you're saying. I think I agree largely with you. And, also, one thing I failed to mention to you I said what I would do is come back out on the list in the next couple of days and sort of summarize this point, summarize your point to give people that aren't on

the call a chance to weigh in and hopefully move this to first reading this week based on what you're saying. What you said I can agree with.

Let me mention some things I think we should cleanup 4.3 N as we cleanup other things on the bylaws. I like the idea of adding C to 4.4 I think that's a good idea and I think that's ones way to act rationally handle this. I do think in addition, I think we should suggest that when the bylaws are clean, we address the IOT specifically and say, rather than amending 4.3 N to sort of get it out of existence is to say that the IOT will cease to exist once it's wrapped up and certified to the board it's wrapped up it's duties on the currently existing bylaw because there's a few beyond the existence of slashing the panel. We have to develop rules as they are asked for challenging PTI action we have to come up with conflict of interest, additional requirements for conflict of interest. Things on the penalty if we think it's wise. So there's a few other things. I think the bylaws should say the IOT should go out of existence once it's done and certifies that. Otherwise I'm fully behind what you say and ask if anyone else in the group wants to comment on it.

>> AVRI DORIA: I can comment. What you said makes sense.

>> DAVID McAULEY: Thank you. And robin just indicated a green check too.

So I think that's what we will do then. And I'll mention it on the list for the benefit of people. Excuse me that aren't on the call, and we will proceed on that basis.

Oops okay I had a computer glitch. Avri thank you so much I hope you stick around and appreciate your dedication.

>> AVRI DORIA: I appreciate it and will stick around until I fall off.

>> DAVID McAULEY: There's an agenda item called other issues that I was going to bring up. One on the list was try to move forward on this concept of standing. And materially effected. We had some comments on it, including Karl Arbex comments that materially effected is much too broad and a couple of others were making the same point. In any event I put on the list suggested treatment for this was that we should change the rules to recognize that 4.3 P of the bylaws does allow for eminent harm cases to be heard. So standing has to be adjusted in the rules to take into account 4.3. That's largely what I was suggesting, make corresponding changes in second 9 of the rules. Which deals with basically any claim that can be brought to you IRP. I recommend against changing and eminent harm kind of notice with respect to section 11 D of the supplementary procedures. Because that particular rule deals with making a claim that ICANN has failed to honor, to has failed to enforce it's contract rights under the IN and naming functions contract. And Mike Rodenbrou asked about it on the email lives and I list and I gave my recommendations I'm not sure if he was challenging it and I don't think we need to make a change. If anyone has a comment for treatment on standing and materially effected.

By the way, my treatment, you know I appreciate Karl Ourbex's comment but the bylaws that materially effected means harm that's a standard we can't change it. He was asking we would. So if anyone would like the comment on that, please do. If otherwise I'm moving this to first reading of the same manner. We come out on the list and discuss it. It's agreed that anyone not at the meeting has a different point of view. They have to let us know in three days. Otherwise it's going into the first reading column. I don't see any hands or hear anything. So I will move to the next item. The next agenda item is status update with respect to S SO AC education regarding the standing panel discuss Webinar training design training thoughts on

that. And I will open the floor. If I did put out an email where I does make some suggestions about designing a Webinar I think it's something that is important. My hope is we can get a Webinar or some certificate to training, gets SOs and ACs more aware what is coming their way prior to ICANN 60. And I think the time is now to do that.

So having put that on the list and in conjunction with the process flow that Liz and Sam gave us back in July, I think it was. I'm asking if anyone has further thoughts, do they think it's a good idea to have a Webinar. Anything like that is open to floor. And I would specifically ask Liz she doesn't have to comment if she doesn't want to but Liz if you have further thoughts from the ICANN legal side about moving this Webinar along if that's that way we choose to go. Where things stand currently with respect to dealing with the process flow.

>> LIZ LE: David, this is Liz. Sure I can comment on that a little bit. Is this I think what we previously said, our positions on the last call with respect to the Webinar is still remains true which is if that's something that is the recommendations of the group or you think it's a good idea, we are happy to help facilitate that and move that along. And with respect to the document that we previously circulated on the process flow, what we will do is we will revise per the change that was recommended during our last call. And we will recirculate on the list for comments.

>> DAVID McAULEY: Okay Liz thank you. And I do so I think I personally believe that we should do a Webinar and I don't hear anyone disagreeing with me so I sank think our position is to do it. I will do this when I summarize the call on the list. I have a feeling we are solidly behind a Webinar. If there's a better alternative I think that will be great too. But I personally think that we need to you know things are coming together. The expression of interest is ready. The

rules are sort of moving forward. We are going to I know there have GNSO people contacting us to be panelists. I know there's great interest in this, I know it's incumbent on us to get this moving frankly and we should get prepared to do a Webinar to get SOs and ACs and we have adieu eat as ICANN. Anything I think we should do it and I don't hear or see anyone disagree, so let's assume that's the case.

If there's nothing further on this item, let's talk a little bit about CEP process planning.

The CEP is now a part of our work. And this will be a brief. We will finish this call well before even 60 minutes. My what I would do is encourage everybody to look at bylaw 4.3 E. We have now picked this up. I know the plenary needs to sort of bless it, but they are going to. So we need to give some thought to the CEP. I'm sorry Anna Lou couldn't be with us today. But we have to recognize when Ed Morris did his research into this, he found a range of time that CEP was taking where he told us a number of days on the fastened, the short end being over 200. And on the long end, over 1200. Which to me sounds completely unacceptable.

And so, I believe that we are going to have to get to a position where we deal with the time requirements of CEP while maintaining good faith efforts on both sides to do a CEP. So it's starting to strike me that we may want to consider a rule with respect to CEP that you know the parties give it 60, 90 days good faith efforts, something like that. But after that time the IRP timeline that Malcolm shepherd would kick into action. We can't simply have a case sort of sitting there. I know that may discourage people from settlement talks and or what not, so I expect that ICANN will have some interest in all of this. But the CEP to me should be some insularly thing that is simply out there delaying things forever.

So that's one thought.

The other thought is that one of the comments that we got was from Delly University. They were asking that we take into account steps that might be helpful to lesser developed countries. And among this 3 steps that they suggested was something to do with CEP and settlement discussions and making things more favorable to them. So I would encourage those of us in had this group to look at that comment along the way as we work on CEP.

And so, I just wanted to mention a few thoughts about CEP just to remind us it's now in our ball field and we are going to have to deal with it.

So that's sort of runs through the agenda. If anyone would like to comment on CEP generally where it's been, where it's going, please put your hand up or weigh in now.

Well then let's move to the next thing. AOB. Any other business. I have asked Bernie if he could let us know about what meeting dates might be available in the month of September.

And so Bernie can I turn to you and ask you to bring us up to date on that?

>> BERNARD TURCOTTE: Yes, David, can you hear me.

>> DAVID McAULEY: Yes.

>> BERNARD TURCOTTE: Excellent. Well to tell you the truth, September is rather wide open right now. So I would say if you have prefer dates and times, ask for them. And we will try to fit them in.

Because a part from the Monday Labor Day holiday for quite a few countries on the 4th of September, and which ICANN staff can't support calls I have availability on a lot of dates.

>> DAVID McAULEY: Bernie let me ask you about Thursday the 7th at this time that we are meeting now?

>> BERNARD TURCOTTE: That's free.

>> DAVID McAULEY: Why don't we grab it for, I think we just need 60 minutes. I'm going to put a lot of things on the list. Let's take that for the next meeting. Does anyone have any objection or concern to that time. September the 7th, Thursday at I think it's 1900 UTC.

>> BERNARD TURCOTTE: That is correct.

>> DAVID McAULEY: I don't see or hear any objections. So let's do that Bernie.

>> BERNARD TURCOTTE: Sold. Would we like to book a second meeting in September while we're dealing with this?

>> DAVID McAULEY: How about two weeks from the 7th. The 21st I guess.

>> BERNARD TURCOTTE: 21st. Thursday, 1900 is available.

>> DAVID McAULEY: Let's take it for 60 minutes. Better to have and not need than need and not have. Let's leave it at that. If anyone has concern please raise it now.

>> BERNARD TURCOTTE: That's my thinking.

>> DAVID McAULEY: If not.

>> BERNARD TURCOTTE: Sold.

>> DAVID McAULEY: Thank you Bernie, thank you.

Would anybody does anybody have anything else they would like to bring up? If not, I will be coming to the list within the next couple of days. And I would like to thank everybody for their attendance and attention and give back some time to your day and thanks very much. This call will now end. And this recording can be stopped. Thank you very much.