

Thanks Mary, Julie, Ariel and Berry,

As I am unlikely to make this call, please consider this my contribution:

I would like to reiterate my observation that the 4 co-chair questions and their accompanying rationale are already covered in both Part 1 (Topics) and Part 2 (Questions), respectively at M (ccQ1), M (ccQ2), D (ccQ3), and G (ccQ4), and it is difficult to see the need for yet another separate document/set of questions to consider.

Assuming there is consensus that these questions should in fact be addressed by the WG (which seems to be the case, given the fact that they are largely duplicative of existing Topics/Questions (see above)), **my suggestion** therefore is that these 4 co-chair questions be wholly incorporated into Part 1 (Topics) and Part 2 (Questions), and that the WG proceed to addressing the consolidated list of Topics/Questions.

In procedural terms, if as a member of the WG, a co-chair believes there are questions not already included in the list of Topics/Questions, they should be put forward to the WG for its consideration, by email or during our calls. The current co-chair statement approach risks running afoul of the respective roles set out for Chairs and Members established in the GNSO Working Group Guidelines (respectively 2.2.1 (“The purpose of a Chair is to call meetings, preside over working group deliberations, manage the process...”) and 2.5 (“member Responsibilities include: Develop and draft working-group documents; Contribute ideas and knowledge to working group discussions...”).

Moreover, as to the evidentiary standard, given that the WG is not privy to URS pleadings, and the determinations themselves are largely lacking in (legal) reasoning the task of assessing whether the appropriate evidentiary standard has been applied risks being an exercise in partly informed (and potentially biased) second-guessing.

Thank you for your consideration.

Brian

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