

- Fabio Colasanti: I don't think that is done in any case, however transparent you want to be. The discussion about the relative matters, no. We have on record the marks that we have given, but I think the discussion should be off the record.
- Brian Cute: Well the only thing that was going to be discussed was the running totals for those three candidates right now; that was it. I wasn't looking for any-
- Fabio Colasanti: No why, why.
- Brian Cute: No critiques, no comments, just reporting in the running tally for these candidates, and then we would move to the issues-based working group. Are we online?
- Olivier Muron: (Inaudible 00:42).
- Brian Cute: We are now online. I'm sorry, Olivier?
- Olivier Muron: (inaudible 00:48).
- Brian Cute: The minimum threshold on a scoring evaluation sheet? Is your question checking whether candidates-?
- Olivier Muron: (Inaudible 01:01).
- Brian Cute: It's an open question. At this point of the exercise, since we don't have all of our grades in; we're still waiting for information back from other proposers, I think at this point the most we should do is identify the running totals for the three candidates we're discussing, then move our discussion to the issues-based working groups and start in with that work. Larry, did you have a comment?
- Larry Strickland: I'm sorry. I think we're double-counting on the (inaudible 01:42); there should only be four scores per person.
- Brian Cute: So the 57 is a total of all of-
- Larry Strickland: Right, but we only have four categories. We had 25 points a category, in four categories and we have scores adding up to-
- Woman: Some people (inaudible 02:13).
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- Larry Strickland: Okay, so I read it vertically. I'm sorry, my mistake, my mistake.
- Brian Cute: I'm done.
- Manal Ismail: I haven't added mine for the other two companies. I have added – so if I just can unplug and go offline for a second because I have mine on the laptop.
- Brian Cute: Here's the running totals for those two, so you want to add your numbers to those two. Yes.
- Fabio Colasanti: (Inaudible 03:27) but then I still object to this discussion. On no other selection process usually you make public who's bad. We select one out of five; if there is any challenge, we have on record the reasons why we selected that out of four. But why should we be going public and saying, "Firm X was number five, was the worst of all," creating a situation that can even be seen as a damage to the image of the firm based on – and they would certainly say – because we have failed to understand their record.
- Brian Cute: I don't think that this is (inaudible 04:15). Peter.
- Peter Dengate-Thrush: Thank you, Chair. Two points: can the record just be clear that you won't be getting assistance from me because I withdrew myself yesterday from that process, so I don't want to just go down as missing in action.
- Brian Cute: That's confirmed, thank you.
- Peter Dengate-Thrush: Thank you. The second point I want to make is to strongly support everything that Fabio said. This sort of conversation should take place, I think, in private, and the announcement should be who the successful candidate is with thanks to the others. I think going further than that just in the end opens us up to a lot of problems. And transparency requirements don't need to have this analysis made visible. Thanks.
- Brian Cute: Thank you for that contribution. There is a split of opinion on the review team which is why we've moved into the online session at 9:00, but those inputs are taken, recognized, and we're going to move our conversation on to the second item of the agenda. What we had been doing was a running evaluation that is not yet complete of the candidates who had made proposals to us. We do not have all our inputs; we will complete that
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exercise in closed session. Thank you for your inputs. If we could all move on to the second item of the agenda, which is the identification of issues-based working groups.

We have a proposal from Becky as to how to organize our working groups around issues that are mapped to the Affirmation of Commitments. Does everyone have access to that document? Okay, at this moment also, I apologize but I have to excuse myself from the meeting. I'll be turning the meeting over to the Co-Chair, Manal Ismail. Thank you, very much.

Manal Ismail: Thank you, Brian. I'm putting the document Becky sent on the screen, just a second. Sorry. So I think what Becky sent was proposing three workgroups. Okay, [Alice], do you have the (inaudible 07:39) because - okay, here it is, I'm sorry. So what Becky sent was having three teams; one to look into board performance, including governance, selection, composition, necessary skill set, accessibility, decision-making, and dispute resolution, complaint-handling and independent review of board decisions.

Team two should look into the GAC role, including interactions with board and community, the existence of shared and clearly understood expectations with respect to the GACs role in ICANNs decision-making process, the quality and action ability of GAC input and ICANNs responsiveness to that input. And the third workgroup should be looking into the community and stakeholder's engagement, including effectiveness and quality of ICANN support for the policy development process, the quality of PDP output, and the extent to which the ICANN PDP develops consensus, including across stakeholder groups, the level and quality of public input into the ICANN process, and the extent to which such input is reflected in the ICANN decision-making.

So I think Warren, you already sent a suggestion for a fourth workgroup? Warren, I'm sorry, have you sent a suggestion for a fourth workgroup?

Warren Adelman: Yeah, following this email – I think you should all have an email that suggested we pull out the IRB and create a fourth workgroup and that way we'd still be fine given the number of ATRT members available to support each working group.

Peter Dengate-Thrush: Where I come from, IRB stands for the International Rugby Board. This is the Independent Review of the Board.

Warren Adelman: Thanks.

Peter Dengate-Thrush: Let me just then agree with Warren; I think that's a very good suggestion. Thanks.

Manal Ismail: Thank you, Peter. So now the floor is open for your reactions on the four working groups. Do we all agree with this division of work? Okay, so there's agreement. Any volunteers for the first team?

Fabio Colasanti: The Independent Review Board is now team number four. Just in terms of references.

Manal Ismail: Yes, unless – this is a suggestion by Warren and-

Fabio Colasanti: No, no, we all agree, but just in terms of numbering since IRB was part of 1. Now it's number four.

Manal Ismail: It's number four. Okay.

Fabio Colasanti: So I volunteer for 1 and 2.

Manal Ismail: 1 and 2, okay.

Warren Adelman: Manal, I'll volunteer for 3 and 4.

Cheryl Langdon-Orr: Manal, I'll volunteer for 3 and 4.

Manal Ismail: For 3 we have Warren and Cheryl and 4 the same. And Fabio, I'm sorry, you volunteered for 1 and

Fabio Colasanti: 2.

Manal Ismail: 2, okay.

Olivier Muron: And I volunteer for 1 and 3.

Manal Ismail: Olivier, 1 and 3.

Brian Cute: (Inaudible 12:43).

- Manal Ismail: 1 and 2. So I'm challenged with the spelling, I'm sorry. Sorry, again. So it's 1 and 2.
- Louie Lee: Louie for 3 and 4.
- Manal Ismail: I'll put myself in 2, also. So, Larry, yes?
- Larry Strickland: Looks like we're light on 2 and 4; I'll do those.
- Willie Currie: I'll do 1 and 2.
- Manal Ismail: So Willie, 1 and 2.
- Peter Dengate-Thrush: Thanks, Manal. Can I just say again that there's an inherent conflict of interest in having the Chairman of the Board on the team that's reviewing the Board, so I won't be putting myself on any of the teams, but I just want to make it clear that I'm available to assist all of those teams if there's anything that I can provide personally, by way of comment or access to ICANN resources. Thanks.
- Manal Ismail: Thank you, Peter. So I think by this we have all volunteers for all groups. We are still missing Becky, which I'm sure would be interested to join quite a few groups. I'll post this on the mailing list and it's still open for those who have not submitted their preferences; Brian, for example, and Becky. And again, if people want to be joining more than one group or other groups, this is still open. I'm not sure if people would like to go into the work of each group, or you'd rather start it on the small groups and then report back to the whole team. That works in smaller groups. Okay. So this was easy.
- Brian Cute: Do we need to designate somebody run the groups?
- Cheryl Langdon-Orr: We can (inaudible 17:02).
- Manal Ismail: Yeah, and also we need to know which groups Brian and Becky are going to join. And Erick, too, I'm sorry, yes, definitely. So I think whenever the groups are complete, they are going to let us know their exact scope of work breakdown for each group and who's going to be the contact for each group. This would also be helpful to identify if there are any overlaps or we can identify any gaps in the work, and see also how the different groups are going to communicate and merge their work. So anything else
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for the groups first? I hear none. Any other business? Anything else on our agenda?

Brian Cute: Two practical things. One is yesterday we were discussing Larry's suggestion, the possibility of having the three-day meeting in Cairo on the Monday, Tuesday, and Wednesday, and I understand that Olivier and now Warren have confirmed that they are available. Louie?

Louie Lee: Yeah, I can come earlier.

Brian Cute: And Cheryl, can you?

Cheryl Langdon-Orr: Yes, I can. Yes.

Brian Cute: So can we confirm? Can you send a message around to say that then Cairo is 11th, 12th and 13th? And still waiting for the list of technical requirements from [Alice] so that we can contact our people in Singapore and Hong Kong.

Manal Ismail: Yes. The message is already there; I'm just going to click send as we finish. And [Alice], I think she's already working on the – [Alice]?

[Alice]: Emails have been sent, I'm waiting for their reply.

Manal Ismail: Thank you. Okay, perfect. Louie, yes?

Louie Lee: I might just want to remind the American's that the Monday is a holiday for many, but I'm okay to participate. I think it's Columbus or something.

Brian Cute: We'd be on a plane if we weren't working. I'd just as soon be working.

Louie Lee: Yeah, it's no big deal for me, just so that they remember that.

Cheryl Langdon-Orr: I'm sorry. Coming from a representation zone of Asia/Pacific, where most of the meetings that this organization runs seem to be designed to interfere with major cultural events which do have particular demands on community and how we operate, the holiday or not a holiday question, I think really needs to just come off. We are a global, internationalized organization that is trying to run 24/7, and someone's going to be inconvenienced sometimes, somewhere just about every day, so suck it up.

- Louie Lee: It's more so a reminder that they will need to change their plans and accommodate for the work if they had made holiday plans.
- Cheryl Langdon-Orr: Go back to my last statement.
- Manal Ismail: So having heard Cheryl said what she said, now the calendar for our conference call is also adopted, unless anyone has really something that needs to be adjusted. Otherwise, I'm going to send the final version with the new dates of the Cairo meeting, and this should be our final calendar, and [Alice], if you please, will have it posted since we're going to have public observers to our call zones. Yes, Fabio?
- Fabio Colasanti: What do we do now with the Harvard people because I've sent the email, no reply. Do we have any telephone number for Mr. Zittrain? Who had the contacts with him yesterday?
- Cheryl Langdon-Orr: Just a point of order: it will be confusing seeing as we're on the public record for that to go out of context. What we, in our closed session, we exploring is the need for some additional information to come in from one of the candidates, and what Fabio is raising to the record at the moment is the matter that we have not as yet had some of that information provided and we are aware that the proponent is still in Brussels and we are attempting to contact them. Perhaps they're listening now!
- Manal Ismail: So anything else we want to discuss before we adjourn our open session?
- Larry Strickland: I guess just a scheduling question. Of course we're impeded a little bit with Brian having to step away, but it does seem that we're going to need another session just among the committee. I don't know that later today makes sense, but I don't know where in our schedule we resume our discussion that we started to try to have earlier this morning.
- Cheryl Langdon-Orr: Larry, I actually don't think that later today doesn't make sense. I think what doesn't make sense is the further we get into the week. Anything that's outlying information, either from our scoring requirement or from the information we have sought – yes, we understand there is a six-hour time difference, let's give them the benefit of the six-hour time difference. So between now and close of business, local time today, I think we should be scheduling a reconvening to finish our business, and I think we should be now looking at a time that suits us to do that, be it 1600 hours, 1500 hours or 1700 hours today.
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Manal Ismail: Thank you, Cheryl.

Larry Strickland: I was going to say, I am available to meet later today if we think that the group can come back together. I agree with your suggestion; it makes sense to touch base again later in the day. I don't know what other folks' schedules are though.

Manal Ismail: Yes, Willie?

Willie Currie: What about the working group that was managing the interview process? I'm not sure if we all come back and we don't have an update –

Manal Ismail: Brian is on the Adobe room if you want to ask him something, just to let you know.

Willie Currie: What I was saying is that we do have a working group on the management consultancy process and it might be better that that small group meets today, because it may well be we don't have any update on the information and that we, rather than, after the ombuds meeting tomorrow, have a full team meeting to review the situation. The ombuds meeting ends at 10:30.

Manal Ismail: So what's the preference of other colleagues? Personally today is a more relaxed day than tomorrow, but I'm open to calendars of others.

Olivier Muron: If there is a slot tomorrow in-between two meetings, then we could do it tomorrow and that would avoid one risk, say that we agree to reconvene at 5:00 and by 5:00 we have not received yet the additional information we are waiting for; then we would be stuck, so tomorrow would be safer.

Manal Ismail: So the preference of the group is that we have a full group meeting tomorrow at 10:30? Okay.

Brian Cute: We'd need a room, obviously. I don't know if we can schedule this room or-

[Alice]: I'll see what I can do.

Manal Ismail: So, [Alice], we'll wait for you to send us the room on the mailing list. And this is going to be a closed session, right? Okay. Anything else before...? Okay, then we're adjourned now. Cheryl?

Cheryl Langdon-Orr: We are agreed, and I certainly will attend and I think it's important that we do, but I did want to come back to the point Willie was raising: I was under the impression that from yesterday's presentations on we were going to be dealing with this as a committee of the whole, so I think it is important that we do deal with this very important issue as a committee of the whole. The subcommittee was put together to do any pre-culling and pre-organization and I think we need to have that differentiation point on the record. Thank you, Manal, sorry.

Manal Ismail: Thank you, Cheryl, for putting this on the record. Denise?

Denise Michel: Just for the benefit of any members of the public that want to follow the review team's work, you're posted on the public schedule as open from 8:30-12:30. If you could just clarify what your schedule will be today then perhaps [Alice] can add an amendment to the public schedule so everyone knows.

Manal Ismail: Okay, thank you Denise. I don't think we have anything else for today.

Brian Cute: I would just make a request of the Chairs, which is to get the full tabulation tomorrow that we started to work on this morning. It seemed to be incomplete and there were two different people adding up the numbers. If the two of you could at least get together and agree on a methodology and a presentation I think that would be very helpful, and of course we have a couple of folks that haven't turned them in yet, too. If you're listening out there: please get your sheets in.

Brian Cute: Just for the public record, I also had the impression when those figures were announced that there was something wrong with the totals, so no one should draw any conclusion from those figures.

Cheryl Langdon-Orr: I wanted to pick up on that that there were some running totals read to the record earlier in today's session. They really ought to be seen as virtually meaningless other than an as-we-go-along type reporting, and when you don't have a frame of reference, I question the value of that. We have a number of individual scorings that are yet to come in, we have materials that is yet to be provided, and we have a meeting in closed session

tomorrow where this will be discussed, and then the full release of outcomes and documentation that has been agreed – including by all those who presented yesterday.

So there will be audio files coming onto the record and be available for people. Some material, which was seen to be identified as proprietary, has been redacted from that record, but for the public record in our meeting today, whilst we had promised it to be up now, some of the homework isn't in including from some of the proposers, and we want to get this right so we are leaving an additional 24 hours – pretty much 25 hours, because we'll be meeting at 10:30 tomorrow, in closed session – to close off this matter and then report back to the community.

Manal Ismail: Perfect. Thank you, Cheryl for doing the whole brief. And again, as mentioned, the scoring sheets were not all handed so whatever scores have been mentioned are not final and yet to be revised when we get all the score sheets. We're going to have them all summarized and well-presented. I'm sorry we were not well-prepared this morning but we kept getting in the score sheets and we'll have them in a better presentation tomorrow. So we'll wait to know the ruling for tomorrow. And for today, I thank you all, and see you tomorrow. Thank you.

Peter Dengate-Thrush: Thanks, Manal.

Manal Ismail: Thank you, Peter.

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