

INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION
International Arbitration Tribunal
ICANN Independent Review Process

ICDR Case No. 01-21-0004-1048

GCCIX, W.L.L.,

Claimant

and

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS,

Respondent

PROCEDURAL ORDER NO. 4
(Scheduling)

Tribunal

Gary L. Benton, Chair
Amb. (r.) David Huebner
Prof. Catherine Kessedjian

Date

14 July 2022

1. Further Preparatory Conference: A Further Preparatory Conference was conducted by the Tribunal by videoconference on 13 July 2022. Both parties appeared through counsel. The Conference was recorded by the ICDR. This Order confirms key points addressed and related matters.
2. Status: ICANN reported that it is pursuing Board Accountability Mechanisms Committee (BAMC) input with respect to consideration of any further action on GCCIX's application.
3. Information Exchange: The parties submitted an agreed schedule for document requests, responses and any related applications. That schedule is adopted in the Timetable attached hereto. As discussed, for the sake of efficiency, the Tribunal encourages the parties to agree to limit document requests to a reasonable number. Unless otherwise agreed by the parties, the Tribunal anticipates that the parties will endeavor to produce responsive documents within 30 days of a request.
4. Further, the Tribunal encourages the parties to stipulate to an initial exchange of reliance documents (identifying/producing the documents that each side is relying on for purposes of its claims and defenses) as that may greatly reduce the need for additional document requests. The parties may also want to consider exchanging initial lists of witnesses and damages calculations as part of the reliance exchange.
5. No other information exchange is contemplated.
6. Memorials: The parties have agreed to two rounds of memorials to be submitted on the dates set in the attached Timetable. As agreed, the submissions will include all legal briefing on the claims and defenses, and include all Witness Statements and Expert Reports. All exhibits relied upon should be provided with the opening round Memorials and referenced in the Witness Statements. Witness Statements and Expert Reports will serve as direct testimony and, accordingly, the evidentiary hearing will focus on cross-examination and any additional argument by counsel.
7. Memorials should conform to the double-page format set forth in par. 36 of Procedural Order No. 1. The parties have agreed to page limits as set forth in the attached Timetable.
8. In addition to digital transmission of the submissions to the Tribunal, the following additional instructions are provided:
 - Amb. Huebner requests that Memorial packets be provided to him in hard copy-two side printed at his business mailing address: PO Box 1665, Palm Springs, CA 92263-1665
 - Prof. Kessedjian will request what is needed as she receives the submissions.
9. Witness Statements: Witness Statements shall be signed under penalty of perjury of California law. It is anticipated that all witness statements will be presented in English (or if required with a certified translation to English). All witnesses submitting Witness Statements should be prepared to appear at the hearing for cross-examination. The parties should endeavor to develop a witness schedule and excuse witnesses not required for cross-examination (unless otherwise requested to testify by the Tribunal).
10. Expert Reports: In addition to the opinions of the experts and the grounds therefore, all Expert Reports shall include (a) a full c.v. of the expert; (b) a list of all testimony by the expert in the past five years; and (c) a list of all documents reviewed for purposes of forming the expert's opinions.

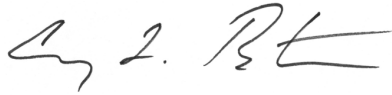
Copies of the documents shall be produced to the other side upon request.

11. Further Case Management Conferences and Final Pre-Hearing Conference: The timing for Further Case Management Conferences, including the Final Pre-Hearing Conference, is set forth in the attached Timetable. Additional conferences will be scheduled as requested by the parties or as otherwise required.
12. Exhibits: The parties shall endeavor to assemble a consolidated, pre-marked set of exhibits (ideally in chronological order) and index so that reference to a document in briefing, testimony and the Award can be made by reference to a single exhibit number. The joint exhibit set and index shall be transmitted to the Tribunal by the date set in the attached Timetable. The ICDR does not require a copy of the exhibits. Demonstratives to be offered at the hearing need not be included in the exhibit set but shall be exchanged in advance on a date(s) agreed by counsel (or ordered by the Tribunal).
13. Opening and Closing Arguments / Post-Hearing Briefs: The parties and the Tribunal will address at the Final Prehearing Conference any request for Opening and Closing Arguments and other hearing procedures. Any request for Post-Hearing Briefing will be addressed prior to the close of the evidentiary hearing.
14. Evidentiary Hearing: The evidentiary hearing is scheduled to be conducted on the dates specified in the attached Timetable.
15. By the date set in the attached Timetable, the parties will notify the Tribunal if they have reached agreement on whether the hearing will take place in-person or by videoconference. If in-person, the parties should notify the Tribunal of the proposed location in Los Angeles, CA, or as otherwise agreed by the parties and approved by the Tribunal, for the evidentiary hearing. (If the parties intend to use the AAA-ICDR conference facilities in Los Angeles, they are encouraged to reserve space as soon as possible.) If by videoconference, the parties should consider stipulating to a videoconference protocol to be provided to the Tribunal in advance of the Final Pre-Hearing Conference.
16. Respondent has referenced a preference for a videoconference hearing to accommodate the health considerations of a participant. Even if a decision is made to proceed in-person, the parties shall endeavor to provide for a hybrid arrangement to make any such accommodation.
17. The Tribunal intends to make any final determination as to the format of the hearing at the Final Pre-Hearing Conference. The evidentiary hearing will proceed by videoconference if, in the determination of the Tribunal, pandemic/health conditions or travel restrictions require a videoconference hearing.
18. CCR/Translation: The parties shall promptly notify opposing counsel and the Tribunal if transcription by a certified court reporter is required. Likewise, the parties shall promptly notify opposing counsel and the Tribunal if an interpreter is required. In both cases, the parties shall endeavor to coordinate on appropriate arrangements.
19. Close of the Evidentiary Hearing: The Tribunal shall close the evidentiary hearing once all evidence and other submissions, including additional submissions requested by the Tribunal, have been received and reviewed.
20. Timetable: Timetable No. 1 is attached.
21. Deadlines/Stipulations: All deadlines stated herein will be strictly enforced and adhered to in order to avoid unnecessary delay and ensure an expedient and fair resolution of this matter. The parties are free to stipulate in writing to reasonable extensions, other than as to hearing-related dates,

without approval of the Tribunal.

The parties are requested to submit any proposed adjustments, corrections or objections within five (5) business days of transmittal of this Order.

Date: 14 July 2022

A handwritten signature in black ink, appearing to read "G. L. Benton", written over a horizontal line.

Gary L. Benton, Chair
By and for the Tribunal

Attachment: Timetable

Timetable No. 1

	GCCIX v. ICANN ICDR No. 01-21-0004-1048	
1	Reliance Exchange (if agreed by the parties)	TBD
2	Initial Requests for Production of Documents (“RFPs”)	17 August 2022
3	Responses to Initial RFPs	16 September 2022
4	Meet and confer (if needed) on RFP Responses	30 September 2022
5	Applications (if any) on Initial RFP Responses	21 October 2022
6	Case Management Conference (Zoom videoconference)	7 February 2023 9:00 a.m. PT
7	Completion of document production / close of information exchange / last day for information exchange applications	3 March 2023
8	Claimant’s Statement of Claim – Opening Memorial (up to 40 pp.)	12 May 2023
9	Parties to notify Tribunal on format of the evidentiary hearing (in-person or videoconference) and hearing site if in-person.	19 May 2023
10	Respondent’s Statement of Defence – Opposition Memorial (up to 40 pp.)	12 July 2023
11	Claimant’s Reply Memorial (up to 15 pp.)	8 August 2023
12	Respondent’s Sur-Reply Memorial (up to 15 pp.)	29 August 2023
13	Final Pre-Hearing Conference (Zoom videoconference)	6 September 2023 9:00 a.m. PT
14	Joint Exhibit List	12 September 2023
15	Evidentiary Hearing (in-person or videoconference)	Tuesday 3 October to Friday 6 October 2023 (with 7 Oct 2023 as a reserve date). 9 am – 5 pm (if in person or such other times to be set if by video-conference)