

INDEPENDENT REVIEW PROCESS
INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION

ICDR Case No. 01-14-0001-5004

In the matter of an Independent Review

DOT REGISTRY, LLC,

Claimant

And

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS,

Respondent

PROCEDURAL ORDER NO. 9

Independent Review Panel:

November 12, 2015

The Honorable Charles N. Brower

Mark Kantor

M. Scott Donahey, Chair

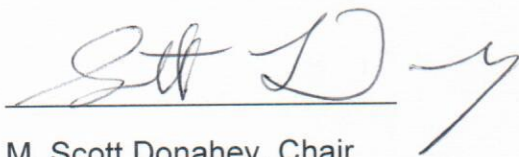
The Panel thanks the parties for their responses to the questions posed by the Panel, which responses the Panel has carefully reviewed. Following its review, the Panel met and conferred and determined it will proceed as follows:

1. The Panel will conduct a one day hearing by video conference on Monday, February 1, 2016. Please note that the Panel selected the date as one that is mutually available for the Panel and is also far enough into the future so that the parties and counsel should be least inconvenienced. The conference will be conducted by an Internet conference provider agreed to by the parties, which provider offers real time multi-party international video conferencing coupled with the ability to readily accommodate conferencing by the Panel offline. Please note that the members of the Panel will be present at different locations on the date indicated. The video conference should be capable of permitting visualization of all participants, including the Panel, and should function smoothly in a question and answer format. On January 11, 2016, the Panel will convene a conference call with the parties to discuss the anticipated location of counsel and of the Panelists on February 1, 2016, in order to agree on a start time for the hearing that will be the least inconvenient for all concerned.
2. There will be no live witness testimony at the hearing, nor may a party attempt to present new or additional evidence. The party's prior written witness statements and documentary submissions will be considered. The Panel will hear argument and ask questions of counsel.
3. The Panel urges the parties to meet and confer and agree upon the structure of the hearing, i.e. how much time each will have for its presentation whether a second round should be held, and , if so, how much time each side will have for that portion. Please allow sufficient time for Panel questioning.
4. Should the parties not be able to agree on a procedure by December 11, 2015, they should advise the panel of the areas of agreement and disagreement in a joint submission of no more than five pages. The panel will then resolve the areas of disagreement.
5. The Panel requests that in each party's presentation at the hearing, it address the burden of proof as to each subject to be addressed, including the three areas of focus set forth in ICANN Bylaws, Article IV, Section 3, paragraph 4.

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6. Following completion of the hearing, the Panel will determine whether it will entertain post-hearing written submissions, and, if any, what subjects it would like such submissions to address. After considering the evidence adduced prior to the hearing, the parties' arguments at the hearing, and any post-hearing submissions, the Panel will issue its written Declaration in this matter.

On Behalf of the Panel

A handwritten signature in cursive script, appearing to read "M. Scott Donahey", is written over a horizontal line. A long, sweeping flourish extends from the end of the signature to the right.

M. Scott Donahey, Chair