

Procedural Order No. 9

of August 17, 2022

issued by the Independent Review Panel composed of

**Hon. William J. Cahill
(Ret.)**
JAMS
2 Embarcadero Center, Suite 1500
San Francisco, California 94111
Contact Information Redacted

Mr. Piotr Nowaczyk, Esq
Presiding Panelist
ul. Z. Słomińskiego 19, lok. 113
00-195 Warsaw
Poland
Contact Information Redacted

Hon. A. Howard Matz (Ret.)
BIRD, MARELLA, BOXER,
WOLPERT, NESSIM,
DROOKS, LINCENBERG &
RHOW, P.C.
1875 Century Park East, 23rd Floor
Los Angeles, California 90067-2561
Contact Information Redacted

***in the matter before the International Centre for Dispute Resolution
(Case No. 01-19-0004-0808)***

Mr. Tom Simotas
Manager at the International Centre for Dispute Resolution
Contact Information Redacted

Ms. Amelia Krajewska
Administrative Secretary to the Independent Review Panel
Contact Information Redacted

between

- 1. Fegistry, LLC**
- 2. Radix Domain Solutions Pte. Ltd.**
- 3. Domain Venture Partners PCC
Limited**

**Internet Corporation for Assigned Names
and Numbers (ICANN)**

*herein referred to as the Claimants
represented by*

Maria Richmond, Esq.
Mike Rodenbaugh Esq.
Rodenbaugh Law
548 Market Street
Box 55819
San Francisco, CA 94104

*herein referred to as the Respondent
represented by*

Jeffrey LeVee, Esq.
Kelly Ozurovich, Esq.
Jones Day
555 South Flower Str., 50th Floor
Los Angeles, CA 90071
Amy Stathos, Esq.
ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

By this Procedural Order No 9 the Independent Review Panel (“**IRP**”):

I. recapitulates the procedural history of the present case, which is the following:

A. Summary adjudication motion on the statute of limitations

1. on June 21, 2022, the Respondent filed the motion for summary adjudication of certain claims that are barred by the statute of limitations (“**Respondent’s Motion for Summary Adjudication**”);
2. the Claimants’ response to the Respondent’s Motion for Summary Adjudication was due on July 12, 2022. However, the Claimants requested a 10 day extension which was granted by the IRP;
3. on 22 July 2022, the Claimants filed the Opposition to the Respondent’s Motion for Summary Adjudication;
4. on August 5, 2022, the Respondent’s filed its Reply in Support of the Respondent’s Motion for Summary Adjudication;

B. The Respondent’s proposal for the pre-hearing schedule

5. on July 25, 2022, the Respondent proposed the pre-hearing schedule for the present proceedings and requested that the IRP set this schedule or such other schedule that the IRP believes is appropriate (“**Respondent’s proposal for the pre-hearing schedule**”);
6. on July 27, 2022, the Claimants opposed to the Respondent’s proposal for the pre-hearing schedule and requested the postponement of the hearing on merits scheduled for October 17 – 18, 2022;
7. on July 27, 2022, the Respondent addressed the Claimants opposition to the Respondent’s proposal for the pre-hearing schedule and requested that the IRP keep the hearing date scheduled for October 17 – 18, 2022;
8. on August 2, 2022, the Parties sent to the IRP the further email correspondence regarding the dispute over the Respondent’s proposal for the pre-hearing schedule.

II. in light of the foregoing, the IRP sets the following schedule for further proceedings:

9. not later than on September 30, 2022 the Parties shall submit simultaneous briefs on the merits, including any witness statements, expert reports, legal authorities, and exhibits, if applicable;
10. no other briefs, witness statements, or expert reports shall be submitted after this deadline unless the Panel approves such submissions upon and after receiving a written request to do so;
11. the Parties' briefs shall be limited to thirty five (35) pages (including footnotes/endnotes), double spaced in twelve (12) point font, excluding any supporting witness statements, expert reports, legal authorities, and exhibits;
12. the hearing on the merits is confirmed to be held from October 17 to October 18, 2022 in the JAMS International Arbitration Center, 1925 Century Park E Ste 1400 (Watt Plaza Office Of The Building), Los Angeles, CA 90067, United States;
13. final pre-hearing conference will be held during the week of October 10, 2022 (subject to the Panel's availability).

Done in Warsaw, Poland

Respectfully yours



Piotr Nowaczyk
Presiding Panelist