

INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION (ICDR)
A Division of the American Arbitration Association (AAA)
CASE # 50 2013 001083

In the matter of an Independent Review Process (IRP) pursuant to the Internet Corporation for Assigned Names and Number's (ICANN's) Bylaws, the *International Dispute Resolution Procedures* of the ICDR, and the *Supplementary Procedures for ICANN Independent Review Process*

Between: DotConnectAfrica Trust;
("Claimant")

Represented by Mr. Arif H. Ali of Weil, Gotshal, Manges, LLP
located at Contact Information Redacted
Contact Information Redacted

And

Internet Corporation for Assigned Names and Numbers (ICANN);
("Respondent")

Represented by Mr. Jeffrey A. LeVee of Jones Day, LLP located at
Contact Information Redacted
Contact Information Redacted

Claimant and the Respondent are hereafter jointly referred to as the
"Parties".

PROCEDURAL ORDER No. 9

1. This Procedural Order No. 9 is delivered in response to ZA Central Registry's (ZACR) request to have two of its representatives along with a representative from the African Union Commission (AUC) attend at the IRP hearing in this matter scheduled for 22 and 23 May 2015 in Washington, DC.
2. In a letter dated 11 May 2015 addressed to the Panel and the Parties' counsel, ZACR and AUC's legal representatives submit that both entities have an interest in this matter and that it would be mutually beneficial for the IRP to permit ZACR and AUC to attend the hearing in Washington, DC.
3. Both ZACR and AUC argue that: "proceedings such as these are normally concluded following an exchange of documents and argument, [and] interested parties are able to follow these proceedings

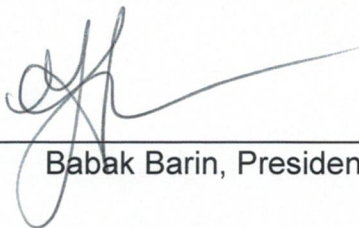
without being present. However in the present circumstances this is not possible.”

4. Finally ZACR submits that: “allowing for interests of a materially affected party such ZACR, the successful applicant for the dotAfrica gTLD, as well as broader public interests, to be present enhances the legitimacy of the proceedings and therefore the accountability and transparency of ICANN and its dispute resolution procedures.”
5. Article 20 of the ICDR Rules, which applies to this matter states that the hearing of this IRP is “private unless *the parties* agree otherwise”. The Parties do not consent to the presence of ZACR and AUC at the hearing. While ICANN indicates that it has no objection to the presence of ZACR and AUC, DCA Trust submits, *inter alia*, that ZACR and AUC are not parties to this proceeding, and that in any event a court reporter will be transcribing the proceedings and the proceeds of that transcription (with appropriate redactions) may be made available to the public pursuant to an appropriate arrangement between the Parties.
6. In light of the above, the Panel denies the requests made in ZACR and AUC’s joint letter of 11 May 2015.
7. This Procedural Order No. 9 has two (2) pages and it may be amended or supplemented pursuant to such further directions or Procedural Orders as the Panel may issue.

Place of IRP: Los Angeles, California.

Dated: 18 May 2015

For the Panel:



Babak Barin, President