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June 13, 2006

VIA FACSIMILE - (202) 219-8979

Brenda Dolan
Departmental Freedom of Information Officer
Office of Management and Organization
U.S. Department of Commerce
Room H5327
Washington, D.C. 20230

Re: Freedom of Information Act Request

Dear Ms. Dolan:

On May 19, 2006, the Department of Commerce announced its intent to award a sole source contract to the Internet Corporation for Assigned Names and Numbers ("ICANN") to perform key technical functions supporting the Internet Domain Name System. *See* United States Department of Commerce News, Commerce Department Publishes Notice of Intent to Award Contract for Management of Key Internet Functions to ICANN (released May 19, 2006). The announcement was made ten days after the ICANN Board voted to reject a proposed contract with ICM Registry to operate a .xxx domain. *See* ICANN Board Votes Against .XXX Sponsored Top Level Domain Agreement (posted May 10, 2006) (<http://www.icann.org/announcements/announcement-10may06.htm>). Similarly, on May 23, 2006, NTIA published a Notice of Inquiry on the Continued Transition of the Technical Coordination and Management of the Internet Domain Name and Addressing System (Docket No. 060519136-6136-01). Shortly before the ICANN Board meeting and the vote on the .xxx domain, Deputy Assistant Secretary for Communications and Information John Kneuer and certain staff members reportedly met with Dr. Paul Twomey of ICANN and others to discuss, among other things, the interrelationship of these events. That meeting is the subject of this request.

Accordingly, pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended ("FOIA"), and your agency's implementing regulations and policies, including but not limited to 15 C.F.R. Part 4, ICM Registry, LLC, by counsel, hereby requests that you provide us copies of



all agency records, held by any Bureau or component of your agency, including but not limited to your office and the National Telecommunications & Information Administration, pertaining to any meeting, conference or other gathering held in the 45 days preceding May 10, 2006, between or including Dr. Paul Twomey of ICANN and Deputy Assistant Secretary John Kneuer and any additional persons (including but not limited to David Conrad of the Internet Assigned Numbers Authority (“IANA”) or any other ICANN and/or IANA personnel) to discuss contractual relationships between the Department and ICANN relating to the IANA function, ICANN’s progress with respect to the tasks set forth in the MOU, and/or the proposed .xxx domain.

This FOIA request encompasses all records, documents, correspondence, memoranda, transcripts, notes, reports, emails or audiovisual or other materials consisting of or reflecting, representing, recording or otherwise disclosing communications, written or oral, involving the subject matter referenced above. If any information responsive to the request above is withheld, ICM Registry requests copies of all non-exempt, reasonably segregable portions of such materials, as well as a detailed statement of the statutory basis and reasons for each instance of withholding, including specifically but not limited to the FOIA exemption relied upon for such withholding, and an index or similar statement of the nature of any materials withheld. If any of the requested documents require pre-release processing, we ask that the remaining documents be made available in advance of processing the entire request.

To expedite this request, ICM Registry is willing to discuss any questions you may have concerning this request and any specific instances of deletion or claims of exemption from disclosure in advance of a final determination on these issues. ICM Registry is prepared to pay all proper fees for document searching and duplication up to \$5,000.

We look forward to your response within twenty (20) working days from the date you receive this request, as required by 5 U.S.C. § 552(a)(6)(A)(i). Please call the undersigned if you have any questions concerning this request. Thank you for your attention in this matter

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink that reads 'Robert Corn-Revere'.

Robert Corn-Revere
Counsel for ICM Registry, LLC.