



February 28, 2011

John O. Jeffrey  
General Counsel & Secretary  
ICANN  
4676 Admiralty Way, Suite 330  
Marina del Rey, CA 90292

RE: ICANN'S NOTICE OF BREACH OF .JOBS REGISTRY AGREEMENT

Dear John,

We are in receipt of ICANN's "Notice of Breach of .JOBS Registry Agreement" dated February 27, 2011 (the "Notice").

It goes without saying that all of us here at Employ Media, and indeed many in the international human resource management community, are extremely surprised and disappointed with ICANN's complete reversal of position in this matter. We are specifically disappointed with ICANN's decision to publicly defame Employ Media and its contractual partners, which serves no purpose except to cause irreparable harm to Employ Media and others who have built their business around ICANN and the Internet governance framework for which it is responsible.

We urge ICANN to look to the plain language of the .JOBS Registry Agreement and to honor its obligations as set forth therein. We disagree with ICANN's latest position as set forth in the Notice, and invoke the dispute resolution provisions of Article V of the .JOBS Registry Agreement with respect to all matters identified in the Notice. Prior to initiation of arbitration pursuant to Article V, we demand Cooperative Engagement as set forth in this Section 5.1(a). We hereby designate Brian Johnson as our single executive officer representative under this Section 5.1(a).

In invoking Cooperative Engagement under Section 5.1(a) of the registry agreement, we do not waive any rights or remedies that we have or may have against ICANN or its officers relating to any matter under the registry agreement, common law, or statute; and we expressly reserve the right to address these matters in any appropriate forum. We hereby demand that ICANN, including all of its employees, officers, and directors, preserve any and all electronically stored information, documents and communications, including all electronic communications such as email, text or instant messages, whether the communications originated or were received through ICANN or personal accounts, and whether the communications were within the corporation or included any third party, occurring now, in the past or in the future, relating to .JOBS, the Coalition and any members thereof, SHRM, or any issues referenced in the Notice. We also demand that you immediately suspend any automatic delete function within the corporate or personal accounts/systems.



Including with regard to communication with our representative under 5.1(a) of the registry agreement, please address all future communications with Employ Media regarding the issues set forth in the Notice to Brian Johnson, General Counsel of Employ Media, with copies to Arif Ali and John Murino of Crowell & Moring and Michael Unger and Greg Phillips of Ulmer & Berne LLP, who are copied below.

This is a sad day for both the Internet community and the international human resource management community. ICANN should be promoting competition and working cooperatively with its contractual parties, but instead is choosing to ignore the plain meaning of its contract with Employ Media in order to appease some apparently well-financed and well-connected provocateurs.

In addition to communications set forth under Section 5.1(a), we demand a phone conference with ICANN as soon as possible, and preferably tomorrow, to address the damage caused by the Notice and to further initiate discussions relating to the issues identified therein.

Regards,

*Brian Johnson*

Brian Johnson  
Vice-President & General Counsel  
Employ Media, LLC

CC: Arif Ali, Crowell & Moring  
John Murino, Crowell & Moring  
Michael Unger, Ulmer & Berne LLP  
Greg Phillips, Ulmer & Berne LLP