



April 8, 2013

VIA EMAIL: fadi.chehade@icann.org; akram.atallah@icann.org

Fadi Chehadé, ICANN Chief Executive Officer
Akram Atallah, ICANN Chief Operating Officer
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

Re: Unfounded Accusations

Dear Fadi and Akram:

We are in receipt of another letter from attorney Jeffrey Stoler to ICANN repeating his previous factually incorrect accusations that Donuts Inc. is an ineligible participant in ICANN's new gTLD program.

To date, Stoler's accusations have been made anonymously on behalf of an unnamed client. As stated in our first letter regarding this matter, Donuts suspected his client was a competing applicant seeking to gain commercial advantage, and we have since confirmed this in fact is the case.

Not only do the letters intentionally misrepresent facts, they are a preposterous, extra-procedural tactic that is a regrettable waste of time and community resources. As an applicant, Donuts was pleased to provide evaluation panels with an extensive set of data (including confidential data) that demonstrated the company's obvious fitness to administer new gTLDs in furtherance of ICANN's goal of increased consumer choice and competition. This was confirmed by the findings of evaluators, who reported to ICANN that Donuts exceeds eligibility requirements. Stoler's (then) non-transparent accusations -- made while demanding transparency from ICANN -- were answered the numerous times they were made; now that his client's motivation is known, they deserve no further regard.

Donuts is confident of the soundness of ICANN's evaluation procedures for *all* applicants. The rigor of the new gTLD program proves that Stoler's and Stoler's client's slights regarding ICANN's competence are self-interested and baseless.

I encourage you to contact me if you have any questions. I assume, however, that this is unnecessary and ICANN prefers, as we do, to move forward with implementation of the new gTLD program.

Very truly yours,



Paul Stahura
Donuts Inc., President and CEO

cc: John Jeffrey, ICANN General Counsel and Secretary
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