



DoCoMo Communications Laboratories USA, Inc.
181 Metro Drive, Suite 300
San Jose, CA 95110
Phone: 408-451-4707 Fax: 408-573-1090
E-mail: wu@docomolabs-usa.com

DoCoMo USA Labs

June 3, 2003,

Paul Nikolich
Chair, IEEE 802 LAN/MAN Standards Committee
18 Bishops Lane
Lynnfield, MA 01940

Dear Mr. Nikolich:

As set forth in Section 9.4 of the IEEE Computer Society, Standards Activities Board Policy and Procedures, I am requesting an appeals panel hearing on my complaint of the March 14, 2003 decision by the LMSC Executive Committee not to confirm the duly elected IEEE 802.20 Working Group officers. The May 10th response to my complaint states a faulty rationale for denying my appeal. The IEEE LMSC Executive Committee decision was arbitrary and should not stand, and my election should be confirmed. My reasons for a requesting an appeals panel hearing are:

1. There is no stated rationale for the March 14, 2003 decision. Only a very small minority, 4 of 14 members, of the Executive committee voted "No" for confirmation. Given that the majority (8 of 14) of the committee abstained from this important vote, I believe members lacked appropriate knowledge of the election process and the elected officers, or were too surprised by the results to address the vote in the short time provided for its consideration. There is a very clear need for an appeals panel with adequate time for review to address the arbitrary and unsubstantiated decision.
2. My letter of appeal raises the issue of Mr. Mark Klerer's eligibility for SEC membership according to the provisions of the Operating Rules of IEEE Project 802 LMSC number 3.2. I maintain that Mr. Klerer is not eligible for SEC membership under this rule and that his motion at the SEC meeting on March 14 is therefore not valid. The May 10th response to my appeal letter did not consider this issue. This response is not, therefore, complete. It completely ignores a claim that a very serious breach of procedure took place which had a material effect on the outcome of the SEC meeting on March 14, 2003.
3. The leadership (Chair and 1st Vice Chair) of the Executive Committee provided the response and were the same people who personally supervised the officers' election, and therefore had a stake in the outcome. To ensure fair and transparent conduct, an appeal panel with no direct involvement, no stake in the decision or actions leading to the decision, should address the complaint.

Points of Agreement based upon your Response dated May 10, 2003:

The response does not dispute my assertion that the 802.20 officers election was conducted without any objections from any 802.20 Working Group member or from any supervising Executive Committee member. Additionally the Executive Committee, as a body, has made no express assertions of any violations of the election and balloting process. Further, I accept your position there is no explicit criteria for prior IEEE 802 experience.

Adverse Effects and Damages:

My personal reputation is damaged in the global standards community. The reputation of IEEE as a fair and open venue for global standards development is seriously compromised. Confidence in IEEE 802 as an

appropriate entity for the proposed 802.20 specifications work is damaged. The uncertainty of leadership defocuses members of 802.20 from important work.

Specific Remedial Actions Requested:

The action taken by the LMSC Executive Committee on March 14, 2003 not to confirm me as the 802.20 Working Group Vice Chair should be set aside. I should be allowed to perform my duties per the stated wishes, through a valid election process, of the majority of the members of the 802.20 Working Group.

As stated initially, I respectfully request a hearing with an appeals panel as soon as reasonably possible. I request that this panel should convene as soon as possible to (1) allow the important work of the working group progress and (2) ensure that it is possible for the 30 days limit on reporting the outcome should expire before the San Francisco plenary meeting takes place. A decision before the San Francisco meeting will obviate the need for a further ballot or similar action at that meeting.

Sincerely,

Gang Wu

Email copy to:

James W. Moore
James.W.Moore@ieee.org
Vice President of Standards
IEEE Computer Society

John Walz
Johnwalz@ameritech.net
Secretary Standards
Activities Board

Gerald Peterson
ghpeterson@ieee.org
President, IEEE Standards
Association

Geoffrey O. Thompson
thompson@ieee.org
1st Vice Chair, IEEE 802

John Daniel
Jw.Daniel@computer.org
IEEE Computer Society

Judith Gorman
J.Gorman@ieee.org
Secretary, SA Board of Governors