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8 DOTCONNECTAFRICA TRUST

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF LOS ANGELES - CENTRAL**

12 DOTCONNECTAFRICA TRUST, a Mauritius
13 charitable trust,

14 Plaintiff,

15 v.

16 INTERNET CORPORATION FOR
17 ASSIGNED NAMES AND NUMBERS, a
18 California corporation; ZA Central Registry, a
19 South African non-profit company; and DOES
1 through 50, inclusive,

20 Defendants.

Case No. BC607494

[Assigned to Hon. Howard L. Halm]

**DECLARATION OF ETHAN J. BROWN
IN SUPPORT OF PLAINTIFF'S EX
PARTE APPLICATION FOR A
TEMPORARY RESTRAINING ORDER**

Date: January 4, 2017

Hearing: 8:30 a.m.

Dept.: 53

[Filed concurrently: *Ex parte* application for temporary restraining order; Declaration of Sophia Bekele Eshete; [Proposed] Order to Show Cause; and [Proposed] Temporary Restraining Order]

1 **DECLARATION OF ETHAN J. BROWN**

2 I Ethan J. Brown hereby declare as follows:

3 1. I am an attorney at law licensed to practice in California and a partner at the law
4 firm of Brown, Neri, Smith, & Khan, LLP, counsel of record for Plaintiff DotConnectAfrica Trust
5 (“DCA”). The matters referred to in this declaration are based upon my personal knowledge,
6 and/or when reference documents, such documents were reviewed by me, and if called as a
7 witness, I could and would testify competently thereto.

8 2. On February 23, 2016, I spoke to Jeffrey Levee, counsel of record for Defendant
9 Internet Corporation for Assigned Names and Numbers (“ICANN”). I asked Mr. Levee for the
10 status of ICANN’s granting of the .Africa gTLD and informed Mr. Levee that DCA would be
11 forced to move for injunctive relief absent assurance that .Africa would not be granted to another
12 party during the pendency of the litigation. Mr. Levee failed to give any such assurance and instead
13 reminded me that ICANN had denied DCA’s application and stated that the board of ICANN could
14 take action on .Africa at any time and that ICANN had a scheduled board meeting in Marrakesh,
15 Morocco that would begin on March 5, 2016.

16 3. After Mr. LeVee failed to give any such assurance, DCA moved for and was
17 granted injunctive relief by the Hon. R. Gary Klausner. A true and correct copy of the order
18 granting DCA’s *ex parte* application for a temporary restraining order is attached hereto as **Exhibit**
19 **1**.

20 4. DCA subsequently moved for, and was granted a preliminary injunction. Attached
21 hereto as **Exhibit 2** is a true and correct copy of the order granting DCA’s motion for a preliminary
22 injunction.

23 5. Attached hereto as **Exhibit 3** is a true and correct copy of this Court’s December
24 21, 2016, tentative order granting DCA’s Motion for A Preliminary Injunction.

25 6. Attached hereto as **Exhibit 4** is a true and correct copy of this Court’s December
26 22, 2016, minute order denying DCA’s Motion for A Preliminary Injunction.
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