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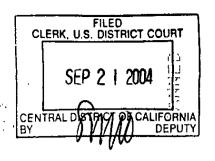
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CENTRAL DISTRICT OF CALIFORNIA
DEPUTY
UNITED STATES DISTRICT COURT



ORIGINAL

CENTRAL DISTRICT OF CALIFORNIA

VERISIGN, INC., a Delaware corporation,

Plaintiff,

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS, a California corporation,

Defendant.

Case No. CV 04-1292 AHM (CTx)

PROPOSED FINAL JUDGMENT

Judge: Hon. A. Howard Matz

THIS CONSTITUTES NOTICE OF ENTRY AS REQUIRED BY FRCP, RULE 77(d).

Pursuant to and for the reasons stated in this Court's order dated August 26, 2004, in which the Court granted the motion to dismiss filed by defendant Internet Corporation for Assigned Names And Numbers' ("ICANN") with respect to the first amended complaint filed by plaintiff VeriSign, Inc., the Court hereby enters final judgment in this matter as follows:

- (1) This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1337;
- (2) Plaintiff's first cause of action, for violation of Section 1 of the Sherman Act, is dismissed with prejudice. Plaintiff-has attempted to allege that ICANN's

[PROPOSED] FINAL JUDGMENT. CV 04-1292 AHM (CTx)

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IM (CTx)

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1	decision-making processes were controlled by competitors who conspired to injure					
2	VeriSign. However, Plaintiff has failed to make and cannot make the requisite					
3	allegations to state sate a claim under the Sherman Act.					
4	(3) Consequently, Plaintiffs first cause of action for violation of Section 1 o					
5	the Sherman Act fails as a matter of law.					
6	(4) Because the Court dismisses Plaintiff's antitrust claim, the only cause of					
7	action arising under federal law, the Court declines to exercise supplemental					
8	jurisdiction over the remaining state law claims pursuant to 28 U.S.C. § 1367(c)(3)					
9	(5) Therefore, Plaintiff's breach of contract causes of action (claims 2, 3, 5,					
10	and 6), Plaintiff's cause of action for interference with contractual relations (claim					
11	4), and Plaintiff's request for a declaratory judgment are dismissed without					
12	prejudice.					
13	<u>JUDGMENT</u>					
14	The Court hereby enters final judgment in favor of ICANN and against					
15	Plaintiff, for the reasons stated above.					
16	$\Delta V \sim M \sim 1$					
17	DATED: W. J. M. J.					
18	Hon. A. Howard Matz UNITED STATES DISTRICT COURT JUDGE					
19	``````````````````````````````````````					
20	Presented by:					
21	JONES DAY					
22	Adda 11 1					
23	By: Why Wu/ce Jeffrey A. LeVee					
24	September 14, 2004					
25	Attorneys for Defendant INTERNET CORPORATION FOR					
26	ASSIGNED NAMES AND NUMBERS					
27	·					
28						

1		* -	<u>PROC</u>	OF OF SERVICE	• -		
2							
3	STAT	TE OF CALIFORNIA)	66	SCANNED		
4	COU	NTY OF LOS ANGELES)	ss.	S		
5	I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within entitled action; my business address is: 555 W. Fifth Street, Suite 4600, Los Angeles, California 90013-1025.						
6							
7	On September 15, 2004, I caused to be served the foregoing document described as:						
8	[PROPOSED] FINAL JUDGMENT						
9	on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:						
10	LAURENCE HUTT, ESQ. ARNOLD & PORTER						
11				eroa, 44 th Floor , CA 90017			
12	[]	BY MAIL: I caused such enve	lope to t	pe deposited in the mail at Los A	angeles, California. The envelope		
13	` '	was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on					
14							
15		motion of the party served, service more than one day after date of de	•	<u>-</u>	on date or postage meter date is		
16	[]	BY FEDERAL EXPRESS:	I place	ed such envelope for deposit in t	he Federal Express drop slot for		
17		service by Federal Express. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with Federal Express on that same day at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if service is more than one day after date of deposit for express service in					
18							
19		affidavit.					
20	[X] BY PERSONAL SERVICE: I placed true copies thereof enclosed in sealed envelope(s) and caused such envelope(s) to be hand delivered via messenger to the offices of the addressee(s) shown above.						
21	[X]	FEDERAL I declare that I am	employe	d within the office of a member	of the bar of this Court at whose		
22		direction the service was made.					
23	Executed on September 15, 2004, at Los Angeles, California.						
24	Manistan						
25				MELANIE	J. MOSS		
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