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SUPERIOR COURT OF THE	STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL	
DOTCONNECTAFRICA TRUST, a Mauritius	Case No. BC607494
	[Assigned to Hon. Howard L. Halm]
Plaintiff,	DECLARATION OF ETHAN J. BROWN
V.	IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION FOR A
INTERNET CORPORATION FOR	TEMPORARY RESTRAINING ORDER
ASSIGNED NAMES AND NUMBERS, a	Date: January 4, 2017
South African non-profit company; and DOES	Hearing: 8:30 a.m. Dept.: 53
1 through 50, inclusive,	Tiled concurrently. Expants application for
Defendants.	[Filed concurrently: <i>Ex parte</i> application for temporary restraining order; Declaration of
	Sophia Bekele Eshete; [Proposed] Order to Show Cause; and [Proposed] Temporary
	Restraining Order]
	ethan@bnsklaw.com Sara C. Colón (SBN 281514) Sara@bnsklaw.com BROWN NERI SMITH & KHAN LLP 11766 Wilshire Boulevard, Suite 1670 Los Angeles, California 90025 T: (310) 593-9890 F: (310) 593-980 Attorneys for Plaintiff DOTCONNECTAFRICA TRUST SUPERIOR COURT OF THE COUNTY OF LOS AN DOTCONNECTAFRICA TRUST, a Mauritius charitable trust, Plaintiff, v. INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS, a California corporation; ZA Central Registry, a South African non-profit company; and DOES 1 through 50, inclusive,

BROWN DECLARATION ISO PLAINTIFF'S EX PARTE APPLICATION FOR A TRO

DECLARATION OF ETHAN J. BROWN

I Ethan J. Brown hereby declare as follows:

- 1. I am an attorney at law licensed to practice in California and a partner at the law firm of Brown, Neri, Smith, & Khan, LLP, counsel of record for Plaintiff DotConnectAfrica Trust ("DCA"). The matters referred to in this declaration are based upon my personal knowledge, and/or when reference documents, such documents were reviewed by me, and if called as a witness, I could and would testify competently thereto.
- 2. On February 23, 2016, I spoke to Jeffrey Levee, counsel of record for Defendant Internet Corporation for Assigned Names and Numbers ("ICANN"). I asked Mr. Levee for the status of ICANN's granting of the .Africa gTLD and informed Mr. Levee that DCA would be forced to move for injunctive relief absent assurance that .Africa would not be granted to another party during the pendency of the litigation. Mr. Levee failed to give any such assurance and instead reminded me that ICANN had denied DCA's application and stated that the board of ICANN could take action on .Africa at any time and that ICANN had a scheduled board meeting in Marrakesh, Morocco that would begin on March 5, 2016.
- 3. After Mr. LeVee failed to give any such assurance, DCA moved for and was granted injunctive relief by the Hon. R. Gary Klausner. A true and correct copy of the order granting DCA's *ex parte* application for a temporary restraining order is attached hereto as **Exhibit** 1.
- 4. DCA subsequently moved for, and was granted a preliminary injunction. Attached hereto as **Exhibit 2** is a true and correct copy of the order granting DCA's motion for a preliminary injunction.
- 5. Attached hereto as **Exhibit 3** is a true and correct copy of this Court's December 21, 2016, tentative order granting DCA's Motion for A Preliminary Injunction.
- 6. Attached hereto as **Exhibit 4** is a true and correct copy of this Court's December 22, 2016, minute order denying DCA's Motion for A Preliminary Injunction.

- 7. Attached hereto as **Exhibit 5**, is a true and correct copy of the Declaration of Sara Colón, submitted in connection with DCA's Motion for a Preliminary Injunction, with the exhibits under Exhibit 2 (Declaration of Mokgabudi Lucky Masilela) omitted for brevity.
- 8. On January 3, 2017, my colleague Kete Barnes ("Mr. Barnes"), gave notice of DCA's *ex parte* application at 9:49 a.m., to Defendant ICANN's counsel Jeffrey LeVee and Intervenor ZA Central Registry NPC's counsel David Kesselman, via email and telephone. Mr. Barnes did not speak personally to Mr. LeVee but left him a voicemail. Counsel for ICANN and ZACR both subsequently indicated that they would oppose DCA's *ex parte* application. Attached hereto as **Exhibit 6** is a true and correct copy of the notice sent by Mr. Barnes and opposing counsel's responses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 3, 2017 at Los Angeles, California.

Ethan J. Frown