

**DECLARATION OF ERICA L. REILLEY IN SUPPORT OF  
RESPONDENT'S MOTION TO DISMISS LATE-FILED APPEAL**

I, Erica L. Reilley, declare the following:

1. I am a partner with the law firm of Jones Day, counsel to Defendant-Respondent Internet Corporation for Assigned Names and Numbers ("ICANN") in the above-captioned action. I have personal knowledge of the matters set forth herein and am competent to testify as to those matters. I make this declaration in support of ICANN's Motion to Dismiss Late-Filed Appeal ("Motion") of Plaintiff-Appellant DotConnectAfrica Trust ("DCA").

2. I make this declaration pursuant to California Rules of Court, rule 8.57(a), requiring a motion to dismiss an appeal before the record is filed in the reviewing court to be accompanied by a declaration stating the information set forth below.

3. The underlying action included claims of alleged breach of contract, intentional misrepresentation, negligent misrepresentation, fraud and conspiracy to commit fraud, unfair competition, negligence, intentional interference with contract, confirmation of an Independent Review Panel Award, and three counts of declaratory relief.

4. The names, addresses, and telephone numbers of all attorneys of record on this appeal are as follows:

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5. On October 3, 2019, the trial court issued a “Statement of Decision on Bifurcated Trial (Phase One) on Affirmative Defense of Judicial Estoppel” (“Statement of Decision”). In the Statement of Decision, the court found in favor of ICANN and against DCA on ICANN’s affirmative defense of judicial estoppel and barred DCA from bringing or maintaining its claims against ICANN alleged in the First Amended Complaint (“FAC”) in this lawsuit. Because the Statement of Decision resolved all remaining causes of action in the litigation, on October 3, the trial court entered a final judgment in favor of ICANN and against DCA on all claims, permitting ICANN to recover its costs of suit, and dismissing the FAC with prejudice (“Final Judgment”).

6. On October 3, 2019, the Executive Officer/Clerk of the Los Angeles Superior Court served filed-endorsed copies of the Statement of Decision and the Final Judgment on all parties’ counsel,

including DCA's counsel Brown, Neri, Smith & Khan, LLP, along with a Certificate of Mailing that was also filed on the trial court docket. A true and correct filed-endorsed copy of the trial court's October 3, 2019 "Final Judgment" is attached hereto as **Exhibit A**, and a true and correct copy of the Certificate of Mailing issued by Executive Officer/Clerk of the Los Angeles Superior Court reflecting service of the filed-endorsed copies of the Statement of Decision and the Final Judgment on all parties' counsel, including DCA's counsel Brown, Neri, Smith & Khan, LLP, is attached hereto as **Exhibit B**.

7. On October 10, 2019, ICANN served a notice of entry of judgment, per the trial court's directive in its October 3, 2019 minute order. A true and correct copy of the October 3, 2019 minute order is attached hereto as **Exhibit C**, and a true and correct copy of ICANN's notice of entry of judgment, served on October 10, 2019, is attached hereto as **Exhibit D**.

8. Both ICANN and Intervenor ZACR filed their memoranda of costs on October 18, 2019, which was 15 days after the date the Executive Officer/Clerk of the Los Angeles Superior Court served the filed-endorsed copy of the Final Judgment, as required by Rule of Court, rule 3.1700(a)(1).

9. No relevant motions were filed to support an extension of the time to appeal under California Rules of Court, rule 8.108.

10. On December 3, 2019, DCA filed a notice of appeal in the County of Los Angeles Superior Court.

11. On December 13, 2019, DCA filed its notice designating the record on appeal. ICANN will file its counter-designation by December 23, 2019.

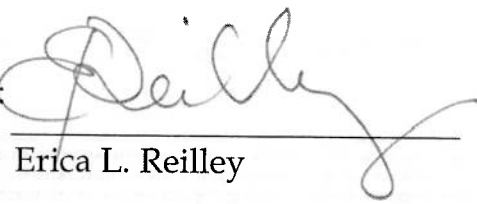
I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on December 20, 2019, in Los Angeles, CA.

Dated: December 20, 2019

Respectfully submitted,

JONES DAY

By:



Erica L. Reilley

*Attorney for Defendant-  
Respondent*

INTERNET CORPORATION  
FOR ASSIGNED NAMES AND  
NUMBERS