

COPY

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16 INTERNET CORPORATION FOR
17 ASSIGNED NAMES AND NUMBERS

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 REGISTERSITE.COM, et al.,
21 Plaintiff,

22 v.

23 INTERNET CORPORATION FOR
24 ASSIGNED NAMES AND
25 NUMBERS, a California
26 Corporation; VERISIGN, INC., a
27 Delaware Corporation; NETWORK
28 SOLUTIONS, INC., a Delaware
Corporation; ENOM, INC., a
Washington Corporation; ENOM
FOREIGN HOLDINGS
CORPORATION, a Washington
Corporation; and DOES 1-10,
inclusive;
Defendants.

Case No. 04CV1368 ABC (CWx)

**STIPULATION EXTENDING TIME
FOR DEFENDANTS TO RESPOND
TO PLAINTIFFS' FIRST AMENDED
COMPLAINT**

FILED

2004 MAY -4 PM 3:52

CLERK U.S. DISTRICT COURT
CENTRAL DIST. C. CALIF.
LOS ANGELES

BY _____

1 Plaintiffs, on the one hand, and Defendants VeriSign, Inc. (“VeriSign”),
2 Network Solutions, Inc. (“NSI”), Internet Corporation for Assigned Names and
3 Numbers (“ICANN”), and eNom Inc. and eNom Foreign Holdings Corporation
4 (collectively "eNom"), on the other, enter into this Stipulation, through their
5 respective counsel of record, based upon and with respect to the following
6 circumstances:

7 A. On March 1, 2004, Plaintiffs commenced this action with the filing of
8 a Complaint against ICANN and VeriSign. Plaintiffs served the Complaint on
9 ICANN and VeriSign on or about March 4, 2004. Pursuant to a Stipulation filed
10 with the Court on March 16, 2004, the parties agreed that ICANN and VeriSign
11 could have an extension of time, through and including April 8, 2004, within which
12 to respond to the Complaint.

13 B. Thereafter, following a “meet and confer” session between Plaintiffs
14 and VeriSign on March 29, 2004, and a “meet and confer” session between
15 Plaintiffs and ICANN on April 1, 2004, with respect to intended motions by
16 VeriSign and ICANN to dismiss the Complaint, Plaintiffs elected to file the current
17 First Amended Complaint, which Plaintiffs served on ICANN and VeriSign on
18 April 8, 2004.

19 C. The First Amended Complaint adds new defendants and several
20 additional causes of action, legal theories, and allegations. The Plaintiffs had
21 previously agreed to grant VeriSign and ICANN an extension of time, from April
22 21, 2004, through and including May 10, 2004, within which to respond to the First
23 Amended Complaint, without prejudice to the rights of VeriSign and ICANN to
24 request or to move the Court for, additional time, if needed, beyond that date to
25 respond. That stipulation was filed with and approved by the Court on April 22,
26 2004.

27 D. The three additional defendants named in the First Amended
28 Complaint were served with the summons and the First Amended Complaint

1 beginning on April 15, 2004. NSI was served with the First Amended Complaint
2 on April 15, 2004. According to Rule 12(a)(1)(A) of the Federal Rules of Civil
3 Procedure, the response of NSI to the First Amended Complaint must be filed by
4 May 5, 2004. As set forth in the prior stipulation filed with the Court on April 22,
5 2004, Plaintiffs have previously agreed to a five-day extension of time for NSI to
6 respond to the First Amended Complaint, so that its response is presently due on
7 May 10, 2004, concurrently with the responses of VeriSign and ICANN.

8 E. An attempt was made to serve eNom with the First Amended
9 Complaint on April 14, 2004. If service was not defective, according to Rule
10 12(a)(1)(A) of the Federal Rules of Civil Procedure, the response of eNom to the
11 First Amended Complaint must be filed by May 4, 2004. eNom is willing to waive
12 any defect in service in consideration of the extension of the time to respond, per
13 this Stipulation. In any event, the requirements of Local Rule 8.3 are met as to
14 eNom as this is eNom's first request for an extension of time in which to respond in
15 this action and the requested extension is for less than 30 days.

16 F. As referenced in paragraph E of the April 22, 2004, Stipulation to
17 Extend the Time to Respond To the First Amended Complaint, in accordance with
18 the parties prior agreement, now that all the defendants have been served, the
19 parties believe it is in the interests of judicial efficiency and economy to have a
20 single response date for all defendants and a single briefing schedule and hearing
21 date for any motions to dismiss that any of the defendants may file with respect to
22 the First Amended Complaint. Therefore, the parties have, subject to further order
23 of the Court, agreed upon a further extension of time to achieve such coordination.

1 Based upon the foregoing, IT IS HEREBY STIPULATED AND AGREED
2 that:

3 1. ICANN, VeriSign, NSI, and eNom will file and serve their respective
4 responses to the First Amended Complaint on or before May 28, 2004;

5 2. Plaintiffs will file and serve their oppositions to any motions to dismiss
6 filed by ICANN, VeriSign, NSI, and eNom in response to the First Amended
7 Complaint on or before June 17, 2004;

8 3. ICANN, VeriSign, NSI, and eNom will file and serve their respective
9 replies to any motions to dismiss filed in response to the First Amended Complaint
10 on or before June 30, 2004;

11 4. ICANN, VeriSign, NSI, and eNom will notice the hearing on any motions
12 to dismiss the First Amended Complaint for July 12, 2004; and

13 5. Unless provided otherwise herein, the parties shall comply with the Local
14 Civil Rules, including L.R. 7-3.

15
16 DATED: May 3, 2004

ARNOLD & PORTER LLP

17
18 By: Laurence J. Hutt
19 Laurence J. Hutt
20 Attorneys for Defendants
VeriSign, Inc. and Network
Solutions, Inc.

21 DATED: May 3, 2004


JONES DAY

22
23 By: Jeffrey A. LeVee
24 Jeffrey A. LeVee
25 Attorneys for Defendant
26 Internet Corporation for Assigned
27 Names and Numbers
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DATED: April 30, 2004

ENOM

By: 
Martin S. Garthwaite
General Counsel for Defendants
eNom Inc. and eNom Foreign
Holdings Corporation

DATED: _____, 2004

NEWMAN & NEWMAN LLP

By: _____
Derek A. Newman
Attorneys for Plaintiffs

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DATED: _____, 2004

ENOM

By: _____
Martin S. Garthwaite
General Counsel for Defendants
eNom Inc. and eNom Foreign
Holdings Corporation

DATED: May 3, 2004

NEWMAN & NEWMAN LLP

By:  _____
Derek A. Newman
Attorneys for Plaintiffs

ORDER

Based upon the foregoing Stipulation of the parties and good cause appearing therefor,

IT IS HEREBY ORDERED that

1. Defendants ICANN, VeriSign, NSI, and eNom will have through and including May 28, 2004, within which to file and serve their respective responses to the First Amended Complaint;

2. Plaintiffs will have through and including June 17, 2004, within which to file and serve their oppositions to any motions to dismiss filed by ICANN, VeriSign, NSI, and eNom in response to the First Amended Complaint;

3. ICANN, VeriSign, NSI, and eNom will have through and including June 30, 2004, within which to file and serve their respective replies to any motions to dismiss filed in response to the First Amended Complaint;

4. ICANN, VeriSign, NSI, and eNom will notice the hearing on any motions to dismiss the First Amended Complaint for July 12, 2004; and

5. Unless provided otherwise herein, the parties shall comply with the Local Civil Rules, including L.R. 7-3.

DATED:

Honorable Audrey B. Collins
U.S. District Court Judge

1 **PROOF OF SERVICE BY MAIL**

2 I am a citizen of the United States and employed in Los Angeles County, California. I am
3 over the age of eighteen years and not a party to the within-entitled action. My business address
4 is 555 West Fifth Street, Suite 4600, Los Angeles, California 90013-1025. I am readily familiar
5 with this firm's practice for collection and processing of correspondence for mailing with the
6 United States Postal Service. On May 4, 2004, I placed with this firm at the above address for
7 deposit with the United States Postal Service a true and correct copy of the within document(s):

8 **STIPULATION EXTENDING TIME FOR DEFENDANTS TO**
9 **RESPOND TO PLAINTIFFS' FIRST AMENDED**
10 **COMPLAINT**

11 in a sealed envelope, postage fully paid, addressed as follows:

12 Laurence Hutt, Esq.
13 Arnold & Porter
14 777 S. Figueroa, 44th Fl.,
15 Los Angeles, CA 90017

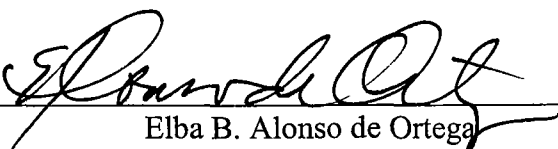
Martin S. Garthwaite, Esq.
General Counsel
eNom, Inc.
2002 156th Avenue NE, Suite 300
Bellevue, WA 98007

16 Newman & Newman,
17 Attorneys at Law
18 Derek A. Newman
19 S. Christopher Winter
20 Venkat Balasubramani
21 Roger M. Townsend
22 505 Fifth Avenue, South, Suite 610
23 Seattle, WA 98104

24 Following ordinary business practices, the envelope was sealed and placed for collection
25 and mailing on this date, and would, in the ordinary course of business, be deposited with the
26 United States Postal Service on this date.

27 I declare that I am employed in the office of a member of the bar of this court at whose
28 direction the service was made.

Executed on May 4, 2004, at Los Angeles, California.

29 
Elba B. Alonso de Ortega



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Phone # 213 243-2725
Fax # E/BA Ortega
ATTY / SECRETARY EXT:

DESTINATION / COURT
 USDC, central District
 317 N. Spring

CLIENT / MATTER / ATTY. CODE
 172210-605006

DOCUMENTS
 STIPULATION

CASE NO #
 CV 04-1368

Short title of case:
 registersite.com
 I.C.I.A.N.N.

HEARING SET FOR: _____ AT _____ DEPT/DIV _____
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<input checked="" type="checkbox"/> FILE <input type="checkbox"/> RESEARCH COPY REQUEST	<input type="checkbox"/> ISSUE COPY <input type="checkbox"/> CERTIFIED COPY <input type="checkbox"/> SUBMIT REQUEST	OTHER: Complete by: _____

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