

FILED

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2007 SEP 12 PM 1:38
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

6 Attorneys for Plaintiffs
7 The Internet Corporation for Assigned Names
and Numbers
8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 The Internet Corporation for Assigned
Names and Numbers,

13 Plaintiff,

14 v.

15 RegisterFly.Com, Inc., and
16 UnifiedNames, Inc.,

17 Defendants.
18
19

Case No. CV 07-2089 R (PLAx)

**APPLICATION FOR DEFAULT
JUDGMENT BY COURT
AGAINST REGISTERFLY.COM,
INC. AND UNIFIEDNAMES,
INC.**

[Declaration of Samantha Eisner in
Support of Application filed
concurrently herewith; [Proposed]
Default Judgment lodged
concurrently herewith]

Date: September 17, 2007
Time: 10:00 a.m.
Judge: Hon. Manuel L. Real

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22 **TO DEFENDANTS AND THEIR ATTORNEY OF RECORD:**

23 PLEASE TAKE NOTICE THAT on Monday, September 17, 2007, at
24 10:00 a.m., or as soon thereafter as this matter may be heard by the above-entitled
25 Court, located at 312 N. Spring Street, Los Angeles, California, 90012, Plaintiff
26 Internet Corporation for Assigned Names and Numbers ("ICANN") will present its
27 application for a default judgment against Defendants RegisterFly.Com, Inc.
28

1 (“RegisterFly”) and UnifiedNames, Inc. (“UnifiedNames”) (collectively,
2 “Defendants”).

3 At the time and place of the hearing, ICANN will present proof of the
4 following matters:

- 5 1. Defendants RegisterFly and UnifiedNames were served with the
6 summons and complaint.
- 7 2. RegisterFly and UnifiedNames’ defaults were entered on August 6,
8 2007.
- 9 3. Defendants are not infants or incompetent persons.
- 10 4. Defendants are corporations, and are not in military service or
11 otherwise exempted under the Soldiers’ and Sailors’ Civil Relief Act of 1940; and
- 12 5. Notice of this application for default judgment by court, as required by
13 Federal Rule of Civil Procedure 55(b)(2), was caused to be served on Defendants,
14 through counsel of record, on September 12, 2007 via personal service, in
15 accordance with Local Rule 14.12.1.
- 16 6. Plaintiff ICANN is entitled to the following judgment against
17 Defendants on account of the claims pleaded in the complaint:
 - 18 • Establishment of the facts pleaded against Defendants as true;
 - 19 • A determination that Defendants are in breach of the RAA;
 - 20 • A determination that ICANN rightfully terminated the RAA on
21 account of Defendants’ breaches; and
 - 22 • A determination that Defendants are restrained from engaging in any
23 further breaches of the obligations imposed by the RAA that survive
24 termination, such as data retention obligations and the payment of
25 registrar fees incurred during the term of the RAA.
- 26 7. The amount of the judgment sought is the sum of \$122,152.35 as set
27 forth in the attached declaration of Samantha Eisner.

1 This Application is based on this Notice, the attached Declaration of
2 Samantha Eisner, and the pleadings, files and other matters that may be presented at
3 the hearing.
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5 Dated: September 12 2007

JONES DAY

6
7 By: 

8 Samantha Eisner

9 Attorneys for Plaintiff
10 THE INTERNET CORPORATION
11 FOR ASSIGNED NAMES AND
12 NUMBERS
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PROOF OF SERVICE BY PERSONAL DELIVERY

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 South Flower Street, Fiftieth Floor, Los Angeles, California 90071-2300. On September 12, 2007, I caused to be served the foregoing document:

**APPLICATION FOR DEFAULT JUDGMENT BY
COURT AGAINST REGISTERFLY.COM, INC.
AND UNIFIEDNAMES, INC.**

on the interested party by placing a true copy in envelope(s) addressed as follows:

Heather McCloskey, Esq.	Attorney for Defendant,
Ervin Cohen & Jessup LLP	RegisterFly.Com, Inc.
9401 Wilshire Blvd., 9th Floor	
Beverly Hills, CA 90212	

I caused such envelope(s) to be delivered by hand to the addressee(s).

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

Executed on September 12, 2007, at Los Angeles, California.

Elizabeth Tran

Elizabeth Tran