

ATTORNEY OR PARTY WITHOUT ATTORNEY (State Bar number, and address):  
 Adam S. Paris (State Bar No. 90693)  
 Sullivan & Cromwell LLP  
 1888 Century Park East, Suite 2100  
 Los Angeles, California 90067  
 TELEPHONE NO.: (310) 712-6600 FAX NO. (Optional): (310) 712-8800  
 E-MAIL ADDRESS (Optional):  
 ATTORNEY FOR (Name): National Union Fire Insurance Co. of Pittsburgh, Pa.

FOR COURT USE ONLY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles**  
 STREET ADDRESS: Santa Monica Courthouse  
 MAILING ADDRESS: 1725 Main Street  
 CITY AND ZIP CODE: Santa Monica, California 90401  
 BRANCH NAME:

PLAINTIFF/PETITIONER: National Union Fire Insurance Co. of Pitts., Pa.  
 DEFENDANT/RESPONDENT: Internet Corp. for Assigned Names & Numbers

**CASE MANAGEMENT STATEMENT**  
 (Check one):  **UNLIMITED CASE** (Amount demanded exceeds \$25,000)  **LIMITED CASE** (Amount demanded is \$25,000 or less)

CASE NUMBER: SC090220

A **CASE MANAGEMENT CONFERENCE** is scheduled as follows:  
 Date: November 3, 2006 Time: 8:30 a.m. Dept.: M Div.: Room:  
 Address of court (if different from the address above):

**INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.**

1. **Party or parties (answer one):**
  - a.  This statement is submitted by party (name): National Union Fire Insurance Co. of Pittsburgh, Pa.
  - b.  This statement is submitted jointly by parties (names):
  
2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
  - a. The complaint was filed on (date): June 28, 2006
  - b.  The cross-complaint, if any, was filed on (date):
  
3. **Service (to be answered by plaintiffs and cross-complainants only)**
  - a.  All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
  - b.  The following parties named in the complaint or cross-complaint
    - (1)  have not been served (specify names and explain why not):
    - (2)  have been served but have not appeared and have not been dismissed (specify names):  
The People's Republic of the Congo; the Congolese Redemption Fund
    - (3)  have had a default entered against them (specify names):
  - c.  The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):
  
4. **Description of case**
  - a. Type of case in  complaint  cross-complaint (describe, including causes of action):  
 Creditor's suit, under Cal. Civ. Proc. Code 708.210, to enforce Plaintiff's judgment against the People's Republic of the Congo by obtaining an order compelling the turnover of the Congo's country code domain name, ".cg," which is controlled by Defendants Internet Corporation for Assigned Names and Numbers and Internet Assigned Numbers Authority.

PLAINTIFF/PETITIONER: National Union Fire Insurance Co. of Pitts., Pa. DEFENDANT/RESPONDENT: Internet Corp. for Assigned Names & Numbers	CASE NUMBER: SC090220
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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

The real party in interest in this action is National Union Fire Insurance Co. of Pittsburgh, PA. ("NUFI"), which has been subrogated to the rights of C. Itoh Middle East E.C. (Bahrain). With this creditor's suit, NUFI seeks to collect on a judgment entered in this Court (Case No. BS096122) for over \$20 million against the People's Republic of the Congo. NUFI is asking that the Court order Defendants Internet Corporation for Assigned Names and Numbers and Internet Assigned Numbers Authority to turn over possession and control of the Congo's country domain name, ".cg", so that it can be applied towards satisfaction of NUFI's judgment against the Congo.

*(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. **Jury or nonjury trial**

The party or parties request  a jury trial  a nonjury trial *(if more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a.  The trial has been set for *(date)*:  
 b.  No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:  
 c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

- a.  days *(specify number)*: 3  
 b.  hours (short causes) *(specify)*:

8. **Trial representation (to be answered for each party)**

The party or parties will be represented at trial  by the attorney or party listed in the caption  by the following:

- a. Attorney: Mark F. Rosenberg  
 b. Firm: Sullivan & Cromwell LLP  
 c. Address: 125 Broad Street, New York, New York 10004-2498  
 d. Telephone number: (212) 558-4000  
 e. Fax number: (212) 558-3588  
 f. E-mail address: rosenbergm@sullcrom.com  
 g. Party represented: National Union Fire Insurance Co. of Pittsburgh, Pa.  
 Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative Dispute Resolution (ADR)**

- a. Counsel  has  has not provided the ADR information package identified in rule 201.9 to the client and has reviewed ADR options with the client.  
 b.  All parties have agreed to a form of ADR. ADR will be completed by *(date)*:  
 c.  The case has gone to an ADR process *(indicate status)*:

PLAINTIFF/PETITIONER: Nati

Union Fire Insurance Co. of Pitts., Pa.

CASE NUMBER:

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DEFENDANT/RESPONDENT: Internet Corp. for Assigned Names & Numbers

10. d. The party or parties are willing to participate in (check all that apply):

- (1)  Mediation
- (2)  Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 1612)
- (3)  Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 1612)
- (4)  Binding judicial arbitration
- (5)  Binding private arbitration
- (6)  Neutral case evaluation
- (7)  Other (specify):

e.  This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.

f.  Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

g.  This case is exempt from judicial arbitration under rule 1601(b) of the California Rules of Court (specify exemption):  
This case is exempt under Cal. Rule of Court 1601(b)(1), because it includes a prayer for equitable relief that is not frivolous or insubstantial.

11. Settlement conference

The party or parties are willing to participate in an early settlement conference (specify when):

Plaintiff is willing to participate in an early settlement conference at an appropriate time, when there has been an opportunity to conduct reasonable discovery.

12. Insurance

a.  Insurance carrier, if any, for party filing this statement (name):

b. Reservation of rights:  Yes  No

c.  Coverage issues will significantly affect resolution of this case (explain):

13. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

Bankruptcy  Other (specify):

Status:

14. Related cases, consolidation, and coordination

a.  There are companion, underlying, or related cases.

(1) Name of case: C. Itoh Middle East E.C. (Bahrain) v. The People's Republic of the Congo, et al.

(2) Name of court: Superior Court of California, County of Los Angeles

(3) Case number: BS096122

(4) Status: pending

Additional cases are described in Attachment 14a.

b.  A motion to  consolidate  coordinate will be filed by (name party):

15. Bifurcation

The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (specify moving party, type of motion, and reasons):

16. Other motions

The party or parties expect to file the following motions before trial (specify moving party, type of motion, and issues):

Plaintiff anticipates moving for Summary Judgment.

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**17. Discovery**

- a.  The party or parties have completed all discovery.  
 b.  The following discovery will be completed by the date specified (*describe all anticipated discovery*):

Party	Description	Date
C. Itoh Middle East E.C. (Bahrain)	Plaintiff has served a Request for the Production of Documents on Defendants ICANN and IANA, and anticipates additional discovery, including several depositions.	February 10, 2006

- c.  The following discovery issues are anticipated (*specify*):  
 ICANN and IANA refused to produce any documents in response to Plaintiff's document requests. Plaintiff anticipates filing a Motion to Compel a further response to its document requests.

**18. Economic Litigation**

- a.  This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.  
 b.  This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (*if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case*):

**19. Other issues**

- The party or parties request that the following additional matters be considered or determined at the case management conference (*specify*):

**20. Meet and confer**

- a.  The party or parties have met and conferred with all parties on all subjects required by rule 212 of the California Rules of Court (*if not, explain*):

- b. After meeting and conferring as required by rule 212 of the California Rules of Court, the parties agree on the following (*specify*):

**21. Case management orders**

Previous case management orders in this case are (*check one*):  none  attached as Attachment 21.

22. Total number of pages attached (*if any*):   1  

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: October 19, 2006

Adam S. Paris  
(TYPE OR PRINT NAME)

▶ Adam S. Paris / EEU  
(SIGNATURE OF PARTY OR ATTORNEY)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached

**ATTACHMENT 14a**

Plaintiff C. Itoh Middle East E.C. (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa., has obtained judgments against Defendants the People's Republic of the Congo and the Congolese Redemption Fund in the following cases:

- a. *C. Itoh Middle East E.C. (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa. v. The People's Republic of the Congo and the Congolese Redemption Fund*, No. CJ-2004-2179 (Okla. Dist. Ct.) (entered June 15, 2004);
- b. *C. Itoh Middle East E.C. (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa. v. The People's Republic of the Congo and the Congolese Redemption Fund*, No. 04-10176-I (Tex. Dist. Ct., Dallas County) (filed Oct. 1, 2004) (removed to the United States District Court for the Northern District of Texas and currently pending as No. 3:04-cv-02440);
- c. *C. Itoh Middle East E.C. (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa. v. The People's Republic of the Congo and the Congolese Redemption Fund*, Index No. 114939/04 (N.Y. Sup. Ct., County of New York) (filed Oct. 20, 2004).

**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and am not a party to this action. My business address is Sullivan & Cromwell LLP, 1888 Century Park East, Suite 2100, Los Angeles, California 90067-1725.

I served the below listed document(s) described as:

**CASE MANAGEMENT STATEMENT**

on October 19, 2006, on all other parties in this action by placing a true copy of the above document(s) enclosed in sealed envelopes addressed as follows:

*Via Facsimile & U.S. Mail*

Jeffrey A. LeVee  
Sean W. Jaquez  
Samantha S. Eisner  
JONES DAY  
555 South Flower Street, Fiftieth Floor  
Los Angeles, California 90071-2300

For copies sent by Facsimile, I delivered a true copy of the above documents to the Sullivan & Cromwell LLP personnel responsible for facsimile service, to the persons listed at the facsimile numbers listed above. I am familiar with the office practice of Sullivan & Cromwell LLP, which practice is that when documents are deposited with the Sullivan & Cromwell LLP personnel responsible for facsimile service, such documents are transmitted via facsimile that same day in the course of business.

For copies served by United States Mail, I placed each such envelope with postage thereon fully prepared for the deposit in the United States mail in accordance with the office practice of Sullivan & Cromwell LLP, which practice is that when correspondence is deposited with the Sullivan & Cromwell LLP personnel responsible for delivering correspondence to the United States Postal Service, such correspondence is delivered to the United States Postal Service that same day in the course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Ex. .ed on October 19, 2006 at Los Angeles, California.

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Roberta Striplin