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11 NAMES AND NUMBERS

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF LOS ANGELES**

14 SNAPNAMES.COM INCORPORATED,  
15 an Oregon corporation,

16 Plaintiff,

17 v.

18 INTERNET CORPORATION FOR  
19 ASSIGNED NAMES AND NUMBERS,  
20 a California corporation,

21 Defendant.

**CASE NO. BC324782**

Assigned for all purposes to  
Judge Emilie H. Elias

Complaint Filed: November 18, 2004

**[PROPOSED] ORDER SUSTAINING  
DEFENDANT ICANN'S DEMURRER TO  
THE COMPLAINT**

[Notice Of Demurrer And Demurrer;  
Supporting Memorandum Of Points And  
Authorities; Request For Judicial Notice Filed  
Concurrently Herewith]

Date: February 10, 2005

Time: 8:45 a.m.

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The demurrer of Internet Corporation for Assigned Names and Numbers' ("ICANN") came on regularly for hearing on February 10, 2005 at 8:45 am, the Honorable Emilie H. Elias, Judge, presiding. Having read and considered the supporting and opposing points and authorities, and having read and considered the arguments of counsel, and good cause appearing therefor,

IT IS HEREBY ORDERED that ICANN's demurrer to the Complaint is SUSTAINED and that the Complaint is DISMISSED in its entirety, with prejudice.

DATED: \_\_\_\_\_, 2005

\_\_\_\_\_  
HONORABLE EMILIE H. ELIAS  
JUDGE OF THE SUPERIOR COURT

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 555 West Fifth Street, Suite 4600, Los Angeles, California 90013.

On January 7, 2005, I caused to be served the document described as:

**[PROPOSED] ORDER SUSTAINING DEFENDANT ICANN'S DEMURRER TO THE COMPLAINT**

on the interested parties in this action.

X **BY (U.S. MAIL)**. I placed \_\_\_\_\_ the original X a true copy thereof enclosed in sealed envelope(s) to the addressee(s) as follows:

Shaye Diveley  
Attorney at Law  
111 Sutter Street, Suite 700  
San Francisco, CA 94104

\_\_\_ **BY PERSONAL SERVICE**. I placed \_\_\_ the original X true copies thereof enclosed in sealed envelope(s) and caused such envelope to be hand delivered via messenger to the offices of the addressee(s) as follows:

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit of mailing in affidavit.

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

\_\_\_\_\_ (FEDERAL) I declare that I am employed in the office of a member of the bar of this Court at whose direction this service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 7, 2005, at Los Angeles, California.

\_\_\_\_\_  
Elba Alonso de Ortega  
Type or Print Name

  
Signature