

JONES DAY

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March 28, 2007

Via Electronic Mail and Federal Express

RegisterFly.com, Inc.
960 Arthur Godfrey Road
Suite 402
Miami Beach, FL 33140
Attn: Kevin Medina

Re: Notice of Lawsuit to be Filed March 29, 2007

Dear Mr. Medina:

RegisterFly has continued to fail to send to ICANN a complete and accurate copy of the current registration data that ICANN has now requested multiple times pursuant to Section 3.6 of the Registrar Accreditation Agreement (“RAA”). RegisterFly’s failure to provide that data constitutes a breach of the RAA and places RegisterFly’s customers in great jeopardy.

Because of ICANN’s strong and increasing concern that RegisterFly’s customers will be irreparably harmed if RegisterFly does not escrow with ICANN a current copy of all registration data – as well as rolling updates of the data every 48 hours (as ICANN has repeatedly requested) – this letter constitutes official notice that ICANN will be filing suit against RegisterFly in the United States District Court for the Central District of California. ICANN will file this suit on March 29, 2007, prior to 3 p.m. Pacific Daylight Time. ICANN also will file an *ex parte* application seeking a temporary restraining order, requiring RegisterFly to turn over to ICANN all of the data that ICANN has requested and to require RegisterFly to provide ICANN updates of this data every 48 hours.

With respect to ICANN’s application for a temporary restraining order, we urge you and your counsel to consult the Local Rules of the Federal District Court for the Central District of California and, in particular, Local Rule 7-19. We will serve you with a copy of the papers via Federal Express, and (if you request) we will provide a copy of the papers by email. ICANN also will send copies to your counsel, as requested in Mitchell Novick’s March 22, 2007 email to Amy A. Stathos of ICANN.

Very truly yours,


Jeffrey A. LeVee

cc: John O. Jeffrey, Esq.
Amy A. Stathos, Esq.
Harold Rabner, Esq.
Mitchell Novick, Esq.