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NAMECHEAP, INC., a Delaware Corporation

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

NAMECHEAP, INC., a Delaware Corporation,

Plaintiff,

v.

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS, a California Nonprofit Corporation,

Defendant.

Case No. 24SMCP00066

(Assigned to Hon. H. Jay Ford, Dept. O)

**DECLARATION OF EUGENE ROME IN SUPPORT OF NAMECHEAP, INC.'S MOTION TO ENFORCE JUDGMENT**

*(Filed concurrently with Motion to Enforce Judgement and [Proposed] Order)*

Date: July 1, 2025

Time: 8:30 a.m.

Dept.: O

Reservation ID: 096340866860

Petition Filed: January 31, 2024

1 **DECLARATION OF EUGENE ROME**

2 I, Eugene Rome, declare as follows:

3 1. I am a Partner at Rome LLP, attorneys of record for Plaintiff/Petitioner Namecheap,  
4 Inc. (“Namecheap”) in the above-referenced action. I have personal knowledge of the facts set forth  
5 in this declaration and if called upon to testify under oath, I could and would testify competently  
6 thereto.

7 2. I make this declaration in support of Namecheap’s Motion to Enforce Judgment.

8 3. On February 25, 2020, Namecheap initiated an Independent Review Process (“IRP”)  
9 pursuant to ICANN’s Bylaws concerning its actions in negotiating the 2019 Registry Agreements  
10 for .ORG and .INFO. The IRP was adjudicated by three panelists (“IRP Panel”). On December 22,  
11 2022, the IRP Panel issued a one hundred seventy-one (171) page reasoned opinion Final  
12 Declaration finding in Namecheap’s favor (“Final Declaration”). Attached hereto as **Exhibit A** and  
13 incorporated herein is a true and correct copy of the Final Declaration.

14 4. Attached hereto as **Exhibit B** is a true and correct copy of this Court’s February 18,  
15 2025, Order.

16 5. Attached hereto as **Exhibit C** is a true and correct copy of the Transcript of  
17 Proceedings, dated Jan. 24, 2025.

18 6. ICANN publicly posts its governance documents, including its Bylaws, its Board of  
19 Directors meeting minutes, and a number of correspondence and reports on its website located at  
20 <http://www.icann.org>.

21 7. On December 27, 2024, I visited ICANN’s website at  
22 [https://www.icann.org/en/board-activities-and-meetings/materials/minutes-regular-meeting-of-the-](https://www.icann.org/en/board-activities-and-meetings/materials/minutes-regular-meeting-of-the-icann-board-21-01-2023-en)  
23 [icann-board-21-01-2023-en](https://www.icann.org/en/board-activities-and-meetings/materials/minutes-regular-meeting-of-the-icann-board-21-01-2023-en) and reviewed the minutes from ICANN’s Board of Directors meeting  
24 held on January 21, 2023. Attached hereto as **Exhibit D**, and incorporated herein, is a true and  
25 correct copy of these minutes.

26 8. On December 27, 2024, I visited ICANN’s website at  
27 [https://www.icann.org/en/board-activities-and-meetings/materials/minutes-meeting-of-the-board-](https://www.icann.org/en/board-activities-and-meetings/materials/minutes-meeting-of-the-board-accountability-mechanisms-committee-bamc-02-06-2023-en)  
28 [accountability-mechanisms-committee-bamc-02-06-2023-en](https://www.icann.org/en/board-activities-and-meetings/materials/minutes-meeting-of-the-board-accountability-mechanisms-committee-bamc-02-06-2023-en) and reviewed the minutes from

1 ICANN’s Board of Directors meeting held on June 2, 2023. Attached hereto as **Exhibit E**, and  
2 incorporated herein, is a true and correct copy of these minutes.

3 9. On December 27, 2024, I visited ICANN’s website at  
4 <https://www.icann.org/resources/pages/irp-namecheap-v-icann-2020-03-03-en>. Listed amongst the  
5 documents posted on the link and available for download was the report prepared by ICANN’s  
6 Economist on February 14, 2024 and published on ICANN’s website on March 5, 2024, pursuant  
7 to The ICANN Board acceptance of the BAMC’s recommendation on June 11, 2023. Attached  
8 hereto as **Exhibit F**, and incorporate herein, is a true and correct copy of this Economist’s Report.

9 10. Namecheap reviewed the report, and in a letter dated May 9, 2024 from Namecheap’s  
10 counsel in for the IRP, provided comments to ICANN, pointing out the deficiencies therein and  
11 explaining why the report fell woefully short of addressing the issues identified by the IRP Panel.  
12 Attached hereto as **Exhibit G**, and incorporated herein, is a true and correct copy of this letter.

13 11. On December 27, 2024, I visited ICANN’s website at  
14 [https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-](https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-10-11-2024-en)  
15 [meeting-of-the-icann-board-10-11-2024-en](https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-10-11-2024-en) and reviewed the minutes from ICANN’s Board of  
16 Directors meeting held on November 10, 2024. Attached hereto as **Exhibit H**, and incorporated  
17 herein, is a true and correct copy of these minutes.

18 12. On December 27, 2024, I visited ICANN’s website at  
19 [https://www.icann.org/en/governance/documents/amended-and-restated-articles-of-incorporation-](https://www.icann.org/en/governance/documents/amended-and-restated-articles-of-incorporation-of-internet-corporation-for-assigned-names-and-numbers-09-08-2016-en)  
20 [of-internet-corporation-for-assigned-names-and-numbers-09-08-2016-en](https://www.icann.org/en/governance/documents/amended-and-restated-articles-of-incorporation-of-internet-corporation-for-assigned-names-and-numbers-09-08-2016-en), and reviewed ICANN’s  
21 Bylaws that it publicly posted. Attached hereto as **Exhibit I**, and incorporated herein, a true and  
22 correct copy of relevant excerpts of ICANN’s Bylaws.

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

25 Signed on April 4, 2025, in Los Angeles, California.

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*/s/ Eugene Rome*

Eugene Rome