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 12 RUBY GLEN, LLC

13 UNITED STATES DISTRICT COURT
 14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 DONUTS INC.

16 Plaintiff,

17 vs.

18 INTERNET CORPORATION FOR
 19 ASSIGNED NAMES AND NUMBERS
 20 AND DOES 1-50

21 Defendant

Case No.:

**DECLARATION OF PAULA
 ZECCHINI IN SUPPORT OF
 PLAINTIFF’S *EX PARTE*
 APPLICATION FOR
 TEMPORARY RESTRAINING
 ORDER**

1 **DECLARATION OF PAULA ZECCHINI**

2 I, Paula Zecchini, hereby declare as follows:

3 1. I am a partner with the law firm of Cozen O’Connor and counsel of
4 record for Plaintiff Ruby Glen, LLC. The matters referred to in this declaration are
5 based upon my personal knowledge, and if called as a witness, I could and would
6 testify competently thereto.

7 2. Attached hereto as **Exhibit A** is a true and correct copy of the Articles of
8 Incorporation of Internet Corporation for Assigned Names and Numbers (“ICANN”),
9 a copy of which is publicly available at
10 <https://www.icann.org/resources/pages/governance/articles-en>.

11 3. Attached hereto as **Exhibit B** is a true and correct copy of the Bylaws for
12 ICANN, a copy of which is publicly available at
13 <https://www.icann.org/resources/pages/governance/bylaws-en#IV-3>.

14 4. Attached hereto as **Exhibit C** is a true and correct copy of the ICANN
15 Applicant Guidebook for New gTLD Applicants, a copy of which is publicly available
16 at <https://newgtlds.icann.org/en/applicants/agb>.

17 5. Attached hereto as **Exhibit D** is a true and correct copy of “New gTLD
18 Auction Proceeds,” a copy of which is publicly available at
19 <https://newgtlds.icann.org/en/applicants/auctions/proceeds>.

20 6. Attached hereto as **Exhibit E** is a true and correct copy of the New gTLD
21 Application Submitted to ICANN by Nu Dot Co LLC, Application ID 1-1296-36138,
22 dated June 13, 2012, a copy of which is publicly available at
23 <https://domainia.com/tlds/web/application/1-1296-36138>.

24 7. Attached hereto as **Exhibit F** is a true and correct copy of
25 correspondence dated July 11, 2016, sent to ICANN by, respectively, Radix (on behalf
26 of DotWeb Inc.) and Schlund Technologies GmbH, a copy of each of which is
27 publicly available at, respectively,
28

1 [https://www.icann.org/en/system/files/correspondence/joshi-to-atallah-et-al-11jul16-](https://www.icann.org/en/system/files/correspondence/joshi-to-atallah-et-al-11jul16-en.pdf)
2 [en.pdf](https://www.icann.org/en/system/files/correspondence/joshi-to-atallah-et-al-11jul16-en.pdf) and [https://www.icann.org/en/system/files/correspondence/moerz-to-atallah-et-](https://www.icann.org/en/system/files/correspondence/moerz-to-atallah-et-al-11jul16-en.pdf)
3 [al-11jul16-en.pdf](https://www.icann.org/en/system/files/correspondence/moerz-to-atallah-et-al-11jul16-en.pdf).

4 8. Attached hereto as **Exhibit G** is a true and correct copy of ICANN's July
5 13, 2016 statement to the .WEB contention set, a copy of which is publicly available at
6 [https://www.icann.org/en/system/files/correspondence/willett-to-web-webs-members-](https://www.icann.org/en/system/files/correspondence/willett-to-web-webs-members-13jul16-en.pdf)
7 [13jul16-en.pdf](https://www.icann.org/en/system/files/correspondence/willett-to-web-webs-members-13jul16-en.pdf).

8 9. Attached hereto as **Exhibit H** is a true and correct copy of the
9 Reconsideration Request by Ruby Glen, LLC and Radix FZC, Request 16-9, dated
10 July 17, 2016, a copy of which is publicly available at
11 [https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-](https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-request-redacted-17jul16-en.pdf)
12 [request-redacted-17jul16-en.pdf](https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-request-redacted-17jul16-en.pdf).

13 10. Attached hereto as **Exhibit I** is a true and correct copy of the
14 Determination of the Board Governance Committee (BGC), Reconsideration Request
15 16-9, dated July 21, 2016, a copy of which is publicly available at
16 [https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-bgc-](https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-bgc-determination-21jul16-en.pdf)
17 [determination-21jul16-en.pdf](https://www.icann.org/en/system/files/files/reconsideration-16-9-ruby-glen-radix-bgc-determination-21jul16-en.pdf).

18 11. Attached hereto as **Exhibit J** is a true and correct copy of the ICANN
19 Auction Rules for New gTLDs: Indirect Contentions Edition Version 2015-02-24, a
20 copy of which is available at <https://newgtlds.icann.org/en/applicants/auctions> under
21 the entry for February 24, 2015.

22 I declare under penalty of perjury under the laws of the United States of
23 America that the foregoing is true and correct.

24 Executed on July 22, 2016 at Seattle, Washington.

25 

26 _____
27 Paula Zecchini