

1 Robert A. Sacks (Cal. Bar No. 150146)
Edward E. Johnson (Cal. Bar No. 241065)
2 SULLIVAN & CROMWELL LLP
1888 Century Park East
3 Los Angeles, California 90067-1725
(310) 712-6600
4 (310) 712-8800 facsimile

5 Attorneys for Plaintiff C. ITOH MIDDLE
EAST E.C. (Bahrain), through the real
6 party in interest, NATIONAL UNION
FIRE INSURANCE COMPANY OF
7 PITTSBURGH, PA.

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES
11 WEST DISTRICT
12

13 C. ITOH MIDDLE EAST E.C. (Bahrain))
through the real party in interest, NATIONAL)
14 UNION FIRE INSURANCE COMPANY)
OF PITTSBURGH, PA,)

15 Plaintiff,)

16 v.)

17)
18 INTERNET CORPORATION FOR)
ASSIGNED NAMES AND NUMBERS,)
19 INTERNET ASSIGNED NUMBERS)
AUTHORITY, the PEOPLE'S)
20 REPUBLIC OF THE CONGO, and THE)
CONGOLESE REDEMPTION FUND,)

21 Defendants.)
22)

Case No. SC090220

The Hon. John L. Segal

**NOTICE OF APPLICATION AND
VERIFIED APPLICATION TO
APPEAR AS COUNSEL PRO HAC
VICE OF MARK F. ROSENBERG;
DECLARATION OF EDWARD E.
JOHNSON**

Hearing: November 3, 2006

Time 8:30 a.m.

Dept.: M

Action Filed: June 28, 2006

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on November 3, 2006, at 8:30 a.m., or as soon thereafter as counsel may be heard, in Department M of the Los Angeles Superior Court, located at the Santa Monica Courthouse, 1725 Main Street, Santa Monica, California, Mark F. Rosenberg will and does hereby apply for an Order permitting him to appear as counsel *pro hac vice* in this action on behalf of Plaintiff C. Itoh Middle East (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa., pursuant to Rule 983 of the California Rules of Court. This application is based upon this Notice and the attached Verified Application of Mark F. Rosenberg and Declaration of Edward E. Johnson.

Dated: October 10, 2006

Respectfully Submitted,

Robert A. Sacks / EEJ

Robert A. Sacks (Cal. Bar No. 150146)
Edward E. Johnson (Cal. Bar No. 241065)
Sullivan & Cromwell LLP
1888 Century Park East, Suite 2100
Los Angeles, California 90067-1725
Telephone: (310) 712-6600
Facsimile: (310) 712-8800

Attorneys for Plaintiff C. Itoh Middle East
(Bahrain) through the real party in interest
National Union Fire Insurance Co. of
Pittsburgh, Pa.

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VERIFIED APPLICATION OF MARK F. ROSENBERG

Pursuant to Rule 983 of the California Rules of Court, I, Mark F. Rosenberg, submit this Verified Application to appear as counsel *pro hac vice* in this action on behalf of Plaintiff C. Itoh Middle East (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa. ("NUFI").

1. I am a member of the law firm of Sullivan & Cromwell LLP, whose offices are at 125 Broad Street, New York, New York 10004. I reside at 31 Clearview Road, Whitehouse Station, New Jersey 08889.

2. I am and have been a member of good standing of the Bar of the State of New York since 1981, where I practice law. I am also admitted to practice law in the following courts: The United States Courts of Appeals for the Third Circuit (since 1985), D.C. Circuit (since 1994), Fifth Circuit (since 1999), Ninth Circuit (since 2005), and Second Circuit (since 2005) and the United States District Courts for the Southern District of New York (since 1981) and Eastern District of New York (since 1981). I am a member in good standing in each of those courts.

3. I have never been suspended or disbarred by any court.

4. In the preceding two years, I have not filed an application to appear as counsel *pro hac vice* in California.

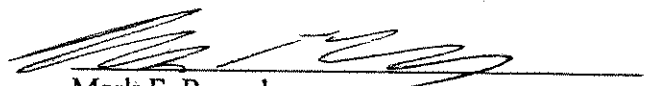
5. The attorneys of record for NUFU are Robert A. Sacks, an active member of the State Bar of California and a partner in the firm of Sullivan & Cromwell LLP, 1888 Century Park East, Suite 2100, Los Angeles, California 90067, tel. (310) 712-6600, and Edward E. Johnson, an active member of the State Bar of California and an associate of Sullivan & Cromwell LLP, 1888 Century Park East, Suite 2100, Los Angeles, California 90067, tel. (310) 712-6600.

1 6. I have asked Mr. Johnson to serve on the State Bar of California a copy of
2 this Application and a check for \$50.00 representing the processing fee contemplated by
3 California Rule of Court 983(c). Mr. Johnson has assured me that he will comply with this
4 request and will attach to the papers supporting this Application, a Proof of Service that reflects
5 such service in compliance with Cal. Civ. Proc. Code § 1013(a).

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Date: September 27, 2006

Respectfully submitted,



Mark F. Rosenberg
Sullivan & Cromwell LLP
125 Broad Street
New York, New York 10004
Tel: (212) 558-4000
Fax: (212) 558-3338

VERIFICATION

I, Mark F. Rosenberg, under oath, declare as follows:

1. I am an attorney for Plaintiff C. Itoh Middle East (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa., in this action.

2. The matters stated in the foregoing Application to Appear as Counsel *Pro Hac Vice* are true of my own knowledge and belief.

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

Dated this 22nd day of September, 2006, New York, New York.


Mark F. Rosenberg


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PROOF OF SERVICE

I, Edward E. Johnson, today caused to be mailed to the Office of Certification of the State Bar of California this Notice of Application and Verified Application to Appear as Counsel *Pro Hac Vice* of Mark F. Rosenberg, along with a check for \$50.00. A true and correct copy of the check, payable to the State Bar of California, together with my cover letter to the State Bar of California Office of Certification, is attached hereto as Exhibit A, following the Declaration of Edward E. Johnson.

Dated: October 10, 2006



Edward E. Johnson

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DECLARATION OF EDWARD E. JOHNSON

I, Edward E. Johnson, hereby declare as follows:


1. I am a member of the Bar of this Court and associated with the firm of Sullivan & Cromwell LLP, counsel for Plaintiff C. Itoh Middle East (Bahrain), through the real party in interest National Union Fire Insurance Co. of Pittsburgh, Pa. ("NUFI"), in this action. Through my involvement in this case, I have personal knowledge of the facts set forth herein and, if called upon to do so, could and would competently testify thereto.

2. On September 20, 2006, I spoke with Sean W. Jaquez, as counsel for Defendants Internet Corporation for Assigned Names and Numbers ("ICANN") and Internet Assigned Numbers Authority ("IANA"), to give notice of this *Pro Hac Vice* Application.

3. At that time, and in a subsequent email, on October 3, 2006, from Samantha Eisner, Counsel for ICANN and IANA stated that they did not oppose the application of Mark F. Rosenberg to appear as counsel *pro hac vice* for NUFU in this action.

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

Executed this 10th day of October, 2006 at New York, New York.



Edward E. Johnson

EXHIBIT A

SULLIVAN & CROMWELL LLP

TELEPHONE: 1-310-712-6600
FACSIMILE: 1-310-712-8800
WWW.SULLCROM.COM

*1888 Century Park East
Los Angeles, California 90067-1725*

NEW YORK • PALO ALTO • WASHINGTON, D.C.

FRANKFURT • LONDON • PARIS

BEIJING • HONG KONG • TOKYO

MELBOURNE • SYDNEY

October 10, 2006

By Federal Express

Office of Certification,
State Bar of California,
180 Howard Street,
San Francisco, California 94105.

Re: Pro Hac Vice Application in *C. Itoh Middle East (Bahrain) v. Internet Corp. for Assigned Names and Numbers, et al.*, Superior Court, County of Los Angeles, West District, No. SC090220

Dear Sir or Madam:

Enclosed please a Rule 983 Verified *Pro Hac Vice* Application, for Mark F. Rosenberg, together with a check for \$50 made payable to the State Bar of California for his Application. The Application is noticed for hearing by the Court (Superior Court, County of Los Angeles, West District, Department M, the Hon. John L. Segal) on November 3, 2006 at 8:30 a.m.

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to call me at (310) 712-6604.

Sincerely yours,



Edward E. Johnson

(Enclosures)

15089

SULLIVAN & CROMWELL LLP
1848 CENTURY PARK EAST, PM. 2107426000
LOS ANGELES, CA 90007

PAY
TO THE
ORDER OF State Bar of California

Fifty and 00/100

DATE 10/10/06

\$ 50.00

dollars

UNION BANK OF CALIFORNIA

BEVERLY HILLS PRIVATE BANKING
8890 WILSHIRE BOULEVARD
BEVERLY HILLS, CA 90212
800.288.4488

ATTORNEY BUSINESS ACCOUNT

FOR Pro Hac Vice Fee 009226/0143

⑆015089⑆⑆1127000195⑆⑆17800189⑆⑆⑆

[Signature]

1 **PROOF OF SERVICE**

2 I, Jacquelynn G. Perske, declare as follows:

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

6 I served the following document:

7 **NOTICE OF APPLICATION AND
8 VERIFIED APPLICATION TO
9 APPEAR AS COUNSEL PRO HAC
10 VICE OF MARK F. ROSENBERG;
11 DECLARATION OF EDWARD E.
12 JOHNSON**

13 on October 10, 2006, on all parties in this action by placing true copies of the above document
14 enclosed in a sealed envelope addressed as follows:

15 **Via Hand Delivery**

16 Jeffrey A. LeVee
17 Sean W. Jaquez
18 Samantha S. Eisner
19 JONES DAY
20 555 South Flower Street, Fiftieth Floor
21 Los Angeles, California 90071-2300
22 Counsel for Defendants Internet Corporation for Assigned
23 Names and Numbers and Internet Assigned Numbers Authority

24 **Via U.S. Mail**

25 The People's Republic of the Congo
26 Regie National Des Travaux Publics et de la Construction
27 B.P. 2073
28 Brazzaville
Republique Populaire du Congo

The Congolese Redemption Fund
Regie National Des Travaux Publics et de la Construction
B.P. 2073
Brazzaville
Republique Populaire du Congo

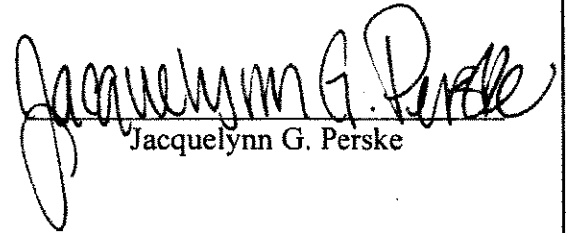
For copies served by Hand Delivery, I am familiar with the office practice of
Sullivan & Cromwell LLP, which practice is that when correspondence is deposited with the

1 Sullivan & Cromwell LLP personnel responsible for delivering correspondence to the
2 appropriate courier service, such correspondence is delivered to the appropriate courier service
3 that same day in the course of business.

4 For copies served by U.S. Mail, I placed such envelope with postage thereon fully
5 prepaid for the deposit in the United States in accordance with the office practice of Sullivan &
6 Cromwell LLP for collecting and processing correspondence for mailing, which practice is that
7 when correspondence is deposited with the Sullivan & Cromwell LLP personnel responsible for
8 delivering correspondence to the United States Postal Service, such correspondence is delivered
9 to the United States Postal Service that same day in the course of business.

10 I declare under penalty of perjury under the laws of the United States that the
11 foregoing is true and correct.

12 Executed on October 10, 2006, at Los Angeles, California.

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15 Jacquelyn G. Perske
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