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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VERISIGN, INC., a Delaware corporation,

Plaintiff,

v.

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS, a California corporation; DOES 1-50,

Defendants.

Case No. CV 04-1292 AHM (CTx)

[PROPOSED] ORDER DENYING DEFENDANT INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS' SPECIAL MOTION TO STRIKE VERISIGN'S SECOND, THIRD, FOURTH, FIFTH, AND SIXTH CLAIMS AS STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION

Date: May 17, 2004
Time: 10:00 a.m.
Courtroom: 14 – Spring Street Bldg.
Hon. A. Howard Matz

[VeriSign's Memorandum of Points and Authorities in Opposition; Declarations; Evidentiary Objections; and Appendix of Exhibits concurrently filed herewith]

1 Having read and considered the defendant Internet Corporation for Assigned
2 Names and Numbers's ("ICANN's") special motion to strike, plaintiff VeriSign's
3 opposition to the special motion to strike, all supporting papers filed in support thereof
4 and in opposition thereto, and any oral argument, and good cause appearing therefor,

5 IT IS HEREBY ORDERED THAT ICANN's special motion to strike VeriSign's
6 second, third, fourth, fifth, and sixth claims as strategic lawsuits against public
7 participation is DENIED.

8 [IT IS HEREBY ORDERED THAT VeriSign's request for discovery pursuant to
9 Rule 56(f) is GRANTED.

10 IT IS FURTHER ORDERED THAT, ICANN's special motion to strike,
11 currently noticed to be heard on May 17, 2004, is continued until _____, 2004
12 at 10:00 a.m. so that VeriSign may immediately begin to propound discovery
13 concerning the issues raised by ICANN's special motion.]
14
15

16 Dated:

By: _____
Judge A. Howard Matz
United States District Judge

17
18
19 Respectfully submitted by:
20 ARNOLD & PORTER LLP
21 Ronald L. Johnston (State Bar No. 057418)
22 Laurence J. Hutt (State Bar No. 066269)
23 Suzanne V. Wilson (State Bar No. 152399)
24 James S. Blackburn (State Bar No. 169134)

25 By: James S. Blackburn
26 James S. Blackburn
27 Attorneys for Plaintiff VeriSign, Inc.
28

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13 Attorneys for Plaintiff
14 VERISIGN, INC.

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA

17 VERISIGN, INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 INTERNET CORPORATION FOR
22 ASSIGNED NAMES AND
NUMBERS, a California corporation;
23 DOES 1-50,

24 Defendants.
25

Case No. CV 04-1292 AHM (CTx)

PROOF OF PERSONAL SERVICE

Date: May 17, 2004

Time: 10:00 a.m.

Courtroom: 14 – Spring Street Bldg.
Hon. A. Howard Matz

1 I am employed in the County of Los Angeles, State of California. I am over the
2 age of 18 and not a party to the within action. My business address is ACE Messenger
3 and Attorney Service, Inc., 811 Wilshire Blvd., Suite 900, Los Angeles, CA 90017.

4 On April 29, 2004, I served the documents described below by hand delivery to
5 the offices of the addressee.

6 1. PLAINTIFF VERISIGN, INC.'S MEMORANDUM IN OPPOSITION TO
7 DEFENDANT ICANN'S SPECIAL MOTION TO STRIKE VERISIGN'S SECOND,
8 THIRD, FOURTH, FIFTH AND SIXTH CLAIMS;

9 2. PLAINTIFF VERISIGN, INC.'S EVIDENTIARY OBJECTIONS TO
10 DECLARATION FILED BY DEFENDANT ICANN IN SUPPORT OF SPECIAL
11 MOTION TO STRIKE VERISIGN'S SECOND, THIRD, FOURTH, FIFTH AND
12 SIXTH CLAIMS AS STRATEGIC LAWSUITS AGAINST PUBLIC
13 PARTICIPATION;

14 3. PLAINTIFF VERISIGN, INC.'S APPENDIX OF ITS OPPOSITION TO
15 DEFENDANT'S SPECIAL MOTION TO STRIKE;

16 4. DECLARATION OF BENJAMIN DESJARDINS IN OPPOSITION TO
17 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
18 FOR ASSIGNED NAMES AND NUMBERS;

19 5. DECLARATION OF CHARLES A. GOMES IN OPPOSITION TO
20 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
21 FOR ASSIGNED NAMES AND NUMBERS;

22 6. DECLARATION OF SCOTT A. HOLLENBECK IN OPPOSITION TO
23 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
24 FOR ASSIGNED NAMES AND NUMBERS;

25 7. DECLARATION OF MARK MANDOLIA IN OPPOSITION TO
26 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
27 FOR ASSIGNED NAMES AND NUMBERS;

28

1 8. DECLARATION OF THADDEUS POPE IN OPPOSITION TO
2 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
3 FOR ASSIGNED NAMES AND NUMBERS

4 9. DECLARATION OF PHILIP L. SBARBARO IN OPPOSITION TO
5 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
6 FOR ASSIGNED NAMES AND NUMBERS;

7 10. DECLARATION OF BENJAMIN R. TURNER IN OPPOSITION TO
8 SPECIAL MOTION TO STRIKE OF DEFENDANT INTERNET CORPORATION
9 FOR ASSIGNED NAMES AND NUMBERS;

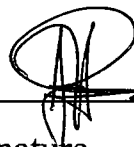
10 11. [PROPOSED] ORDER DENYING DEFENDANT INTERNET
11 CORPORATION FOR ASSIGNED NAMES AND NUMBERS' SPECIAL MOTION
12 TO STRIKE VERISIGN'S SECOND, THIRD, FOURTH, FIFTH AND SIXTH
13 CLAIMS AS STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION; and

14 12. PROOF OF PERSONAL SERVICE.

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct. Executed this 29th day of April, 2004 at Los
17 Angeles, California.

18
19
20 JUAN RODRIGUEZ

21 Type or Print Name



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23
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Signature

320122-1

SERVICE LIST

VeriSign, Inc. v. ICANN
USDC Case No. CV 04 1292 AHM (CTx)

Jeffrey LeVee, Esq.
Jones Day
555 W. 5th Street, Suite 4600
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