

COPY

1 Jeffrey A. LeVee (State Bar No. 125863)
2 Emma Killick (State Bar No. 192469)
3 Sean W. Jaquez (State Bar No. 223132)
4 JONES DAY
5 555 West Fifth Street, Suite 4600
6 Los Angeles, CA 90013-1025
7 Telephone: (213) 489-3939
8 Facsimile: (213) 243-2539

9 Joe Sims (admitted *pro hac vice*)
10 JONES DAY
11 51 Louisiana Avenue, N.W.
12 Washington, D.C. 20001-2113
13 Telephone: (202) 879-3939
14 Facsimile: (202) 626-1700

15 Attorneys for Defendant
16 INTERNET CORPORATION FOR
17 ASSIGNED NAMES AND NUMBERS

18 **UNITED STATES DISTRICT COURT**
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 REGISTERSITE.COM, et al.,
21 Plaintiff,

22 v.

23 INTERNET CORPORATION FOR
24 ASSIGNED NAMES AND
25 NUMBERS, a California
26 Corporation; VERISIGN, INC., a
27 Delaware Corporation; NETWORK
28 SOLUTIONS, INC., a Delaware
Corporation; ENOM, INC., a
Washington Corporation; ENOM
FOREIGN HOLDINGS
CORPORATION, a Washington
Corporation; and DOES 1-10,
inclusive;
Defendants.

Case No. 04CV1368 ABC (CWx)

**STIPULATION EXTENDING TIME
FOR DEFENDANTS TO RESPOND
TO PLAINTIFFS' FIRST AMENDED
COMPLAINT**

FILED

2004 MAY -4 PM 3:52

CLERK U.S. DISTRICT COURT
CENTRAL DIST. C. CALIF.
LOS ANGELES

BY _____

1 Plaintiffs, on the one hand, and Defendants VeriSign, Inc. (“VeriSign”),
2 Network Solutions, Inc. (“NSI”), Internet Corporation for Assigned Names and
3 Numbers (“ICANN”), and eNom Inc. and eNom Foreign Holdings Corporation
4 (collectively "eNom"), on the other, enter into this Stipulation, through their
5 respective counsel of record, based upon and with respect to the following
6 circumstances:

7 A. On March 1, 2004, Plaintiffs commenced this action with the filing of
8 a Complaint against ICANN and VeriSign. Plaintiffs served the Complaint on
9 ICANN and VeriSign on or about March 4, 2004. Pursuant to a Stipulation filed
10 with the Court on March 16, 2004, the parties agreed that ICANN and VeriSign
11 could have an extension of time, through and including April 8, 2004, within which
12 to respond to the Complaint.

13 B. Thereafter, following a “meet and confer” session between Plaintiffs
14 and VeriSign on March 29, 2004, and a “meet and confer” session between
15 Plaintiffs and ICANN on April 1, 2004, with respect to intended motions by
16 VeriSign and ICANN to dismiss the Complaint, Plaintiffs elected to file the current
17 First Amended Complaint, which Plaintiffs served on ICANN and VeriSign on
18 April 8, 2004.

19 C. The First Amended Complaint adds new defendants and several
20 additional causes of action, legal theories, and allegations. The Plaintiffs had
21 previously agreed to grant VeriSign and ICANN an extension of time, from April
22 21, 2004, through and including May 10, 2004, within which to respond to the First
23 Amended Complaint, without prejudice to the rights of VeriSign and ICANN to
24 request or to move the Court for, additional time, if needed, beyond that date to
25 respond. That stipulation was filed with and approved by the Court on April 22,
26 2004.

27 D. The three additional defendants named in the First Amended
28 Complaint were served with the summons and the First Amended Complaint

1 beginning on April 15, 2004. NSI was served with the First Amended Complaint
2 on April 15, 2004. According to Rule 12(a)(1)(A) of the Federal Rules of Civil
3 Procedure, the response of NSI to the First Amended Complaint must be filed by
4 May 5, 2004. As set forth in the prior stipulation filed with the Court on April 22,
5 2004, Plaintiffs have previously agreed to a five-day extension of time for NSI to
6 respond to the First Amended Complaint, so that its response is presently due on
7 May 10, 2004, concurrently with the responses of VeriSign and ICANN.

8 E. An attempt was made to serve eNom with the First Amended
9 Complaint on April 14, 2004. If service was not defective, according to Rule
10 12(a)(1)(A) of the Federal Rules of Civil Procedure, the response of eNom to the
11 First Amended Complaint must be filed by May 4, 2004. eNom is willing to waive
12 any defect in service in consideration of the extension of the time to respond, per
13 this Stipulation. In any event, the requirements of Local Rule 8.3 are met as to
14 eNom as this is eNom's first request for an extension of time in which to respond in
15 this action and the requested extension is for less than 30 days.

16 F. As referenced in paragraph E of the April 22, 2004, Stipulation to
17 Extend the Time to Respond To the First Amended Complaint, in accordance with
18 the parties prior agreement, now that all the defendants have been served, the
19 parties believe it is in the interests of judicial efficiency and economy to have a
20 single response date for all defendants and a single briefing schedule and hearing
21 date for any motions to dismiss that any of the defendants may file with respect to
22 the First Amended Complaint. Therefore, the parties have, subject to further order
23 of the Court, agreed upon a further extension of time to achieve such coordination.

1 Based upon the foregoing, IT IS HEREBY STIPULATED AND AGREED
2 that:

- 3 1. ICANN, VeriSign, NSI, and eNom will file and serve their respective
- 4 responses to the First Amended Complaint on or before May 28, 2004;
- 5 2. Plaintiffs will file and serve their oppositions to any motions to dismiss
- 6 filed by ICANN, VeriSign, NSI, and eNom in response to the First Amended
- 7 Complaint on or before June 17, 2004;
- 8 3. ICANN, VeriSign, NSI, and eNom will file and serve their respective
- 9 replies to any motions to dismiss filed in response to the First Amended Complaint
- 10 on or before June 30, 2004;
- 11 4. ICANN, VeriSign, NSI, and eNom will notice the hearing on any motions
- 12 to dismiss the First Amended Complaint for July 12, 2004; and
- 13 5. Unless provided otherwise herein, the parties shall comply with the Local
- 14 Civil Rules, including L.R. 7-3.

15
16 DATED: May 3, 2004

ARNOLD & PORTER LLP

17
18 By: Laurence J. Hutt
19 Laurence J. Hutt
20 Attorneys for Defendants
VeriSign, Inc. and Network
Solutions, Inc.

21 DATED: May 3, 2004


JONES DAY

22
23 By: Jeffrey A. LeVee
24 Jeffrey A. LeVee
25 Attorneys for Defendant
26 Internet Corporation for Assigned
27 Names and Numbers
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: April 30, 2004

ENOM

By: 
Martin S. Garthwaite
General Counsel for Defendants
eNom Inc. and eNom Foreign
Holdings Corporation

DATED: _____, 2004

NEWMAN & NEWMAN LLP

By: _____
Derek A. Newman
Attorneys for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


DATED: _____, 2004

ENOM

By: _____
Martin S. Garthwaite
General Counsel for Defendants
eNom Inc. and eNom Foreign
Holdings Corporation

DATED: May 3, 2004

NEWMAN & NEWMAN LLP

By:  _____
Derek A. Newman
Attorneys for Plaintiffs

ORDER

Based upon the foregoing Stipulation of the parties and good cause appearing therefor,

IT IS HEREBY ORDERED that

1. Defendants ICANN, VeriSign, NSI, and eNom will have through and including May 28, 2004, within which to file and serve their respective responses to the First Amended Complaint;

2. Plaintiffs will have through and including June 17, 2004, within which to file and serve their oppositions to any motions to dismiss filed by ICANN, VeriSign, NSI, and eNom in response to the First Amended Complaint;

3. ICANN, VeriSign, NSI, and eNom will have through and including June 30, 2004, within which to file and serve their respective replies to any motions to dismiss filed in response to the First Amended Complaint;

4. ICANN, VeriSign, NSI, and eNom will notice the hearing on any motions to dismiss the First Amended Complaint for July 12, 2004; and

5. Unless provided otherwise herein, the parties shall comply with the Local Civil Rules, including L.R. 7-3.

DATED:

Honorable Audrey B. Collins
U.S. District Court Judge

1 **PROOF OF SERVICE BY MAIL**

2 I am a citizen of the United States and employed in Los Angeles County, California. I am
3 over the age of eighteen years and not a party to the within-entitled action. My business address
4 is 555 West Fifth Street, Suite 4600, Los Angeles, California 90013-1025. I am readily familiar
5 with this firm's practice for collection and processing of correspondence for mailing with the
6 United States Postal Service. On May 4, 2004, I placed with this firm at the above address for
7 deposit with the United States Postal Service a true and correct copy of the within document(s):

8 **STIPULATION EXTENDING TIME FOR DEFENDANTS TO**
9 **RESPOND TO PLAINTIFFS' FIRST AMENDED**
10 **COMPLAINT**

11 in a sealed envelope, postage fully paid, addressed as follows:

12 Laurence Hutt, Esq.
13 Arnold & Porter
14 777 S. Figueroa, 44th Fl.,
15 Los Angeles, CA 90017

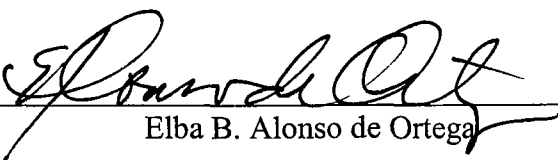
Martin S. Garthwaite, Esq.
General Counsel
eNom, Inc.
2002 156th Avenue NE, Suite 300
Bellevue, WA 98007

16 Newman & Newman,
17 Attorneys at Law
18 Derek A. Newman
19 S. Christopher Winter
20 Venkat Balasubramani
21 Roger M. Townsend
22 505 Fifth Avenue, South, Suite 610
23 Seattle, WA 98104

24 Following ordinary business practices, the envelope was sealed and placed for collection
25 and mailing on this date, and would, in the ordinary course of business, be deposited with the
26 United States Postal Service on this date.

27 I declare that I am employed in the office of a member of the bar of this court at whose
28 direction the service was made.

Executed on May 4, 2004, at Los Angeles, California.

29 
Elba B. Alonso de Ortega



First Legal Support Services

Los Angeles (213) 250-7111 • Fax (213) 250-1197
 Direct line to legal (213) 250-7111 • Fax (213) 250-1197
 Los Angeles (West) (310) 277-9111 • Fax (310) 277-9153
 Direct line to Legal (310) 277-7101 • Fax (310) 277-9153
 Grand Empire (909) 779-1110 • Fax (909) 779-0100
 Sacramento (916) 444-5111 • Fax (916) 443-3111
 San Diego (619) 231-9111 • Fax (619) 231-1361
 San Francisco (415) 626-3111 • Fax (415) 626-1331
 Santa Ana (714) 541-1110 • Fax (714) 541-8182

INVOICE NO. 891794

web address: 1stlegal.com

CONTROL NO. 3092944

DATE: 5-4-04

FIRM NAME JONES DAY (L)
 555 WEST 5TH STREET, #4600
 LOS ANGELES, CA 90013
Phone # 213 243-2725
Fax # E/BA ORTEGA

DESTINATION / COURT
 USDC, central District
 317 N. Spring

ATTY / SECRETARY EXT:
CLIENT / MATTER / ATTY. CODE
 172210-605006

DOCUMENTS
 STIPULATION

CASE NO #
 CV 04-1368

Short title of case:
 registersite.com
 I.C.I.A.N.N.

HEARING SET FOR: _____ AT _____ DEPT/DIV _____
 SELF ADDRESSED STAMPED ENVELOPE(S) ATTACHED **FEE ATTACHED \$**

PLEASE NOTE ANY SPECIFIC OR TIMELY FILING REQUIREMENTS

COURT RESEARCH	ON DEMAND FILINGS	COURT RUN
<input type="checkbox"/> ASAP RESEARCH (Immediate) <input type="checkbox"/> SAME DAY RESEARCH (Allow full day to obtain) <input type="checkbox"/> NEXT DAY RESEARCH (Allow two days to obtain)	<input type="checkbox"/> SPEC FILE (Immediate) <input checked="" type="checkbox"/> ASAP FILE (Within 1 hr.) <input type="checkbox"/> RUSH FILE (Within 2 hrs.) <input type="checkbox"/> REG FILE (Within 3-4 hrs.)	<input type="checkbox"/> SAME DAY (Filings only)* <input type="checkbox"/> NEXT DAY (Filings only)* *Per agreement
<input checked="" type="checkbox"/> FILE <input type="checkbox"/> RESEARCH COPY REQUEST	<input type="checkbox"/> ISSUE COPY <input type="checkbox"/> CERTIFIED COPY <input type="checkbox"/> SUBMIT FORM REQUEST	OTHER: Complete by: _____

SPECIAL INSTRUCTIONS:
 CALL when Filed!!
 Career

ASSIGNMENT COMPLETED ATTY. CALLED - SPOKE WITH
 CALLED ON: _____ 2ND CALL _____ 3RD CALL _____

REPORT:
 Not on Register to Date
 On Register. Not in File to Date
 Document Missing or Misfiled
 Clerk Searching
 File Unavailable
 In Use by Clerk
 Checked Out by Another Party

Return in: _____ Days For Completion of Assignment

CLERK WILL MAIL **DATE:** 5/4/04 **HANDLED BY:** BOB

BASE FEE (IF APPLICABLE)	
FEE ADVANCED	
CHECK NO.	
BY	
FEE ADVANCED	
CHECK NO.	
BY	
MILEAGE	
SPECIAL RETURN	
WAITING TIME	
RESEARCH TIME	
SPECIAL PICKUP	
FAX	
PHONE	
TOTAL \$	

PLEASE REMIT PAYMENT TO LOS ANGELES OFFICE ALL ASSIGNMENTS SUBJECT TO TERMS AND CONDITIONS ON REVERSE



Los Angeles (213) 250-1197 Fax (213) 250-1197
 Direct line to legal (213) 250-1197 Fax (213) 250-1197
 Los Angeles (West) (310) 277-9111 Fax (310) 277-9153
 Direct line to Legal (310) 277-7101 Fax (310) 277-9153
 Grand Empire (909) 779-1110 Fax (909) 779-0100
 Sacramento (916) 444-5111 Fax (916) 443-3111
 San Diego (619) 231-9111 Fax (619) 231-1361
 San Francisco (415) 626-3111 Fax (415) 626-1331
 Santa Ana (714) 541-1110 Fax (714) 541-8182

INVOICE NO. 891794

web address: 1stlegal.com

CONTROL NO. 3092249 **DATE:** 5-9-14

FIRM NAME JONES DAY (L) 555 WEST 5TH STREET, #4600 LOS ANGELES, CA 90013 Phone # 213 243-2725 Fax #	DESTINATION / COURT USDC, central district 317 11. Spring
ATTY / SECRETARY EXT:	DOCUMENTS STIPULATION
CLIENT / MATTER / ATTY. CODE 172210-605006	HEARING SET FOR: _____ AT _____ DEPT/DIV _____ <input type="checkbox"/> SELF ADDRESSED STAMPED ENVELOPE(S) ATTACHED FEE ATTACHED \$
CASE NO # CV 04-1368	
Short title of case: I.O.P.N.	

PLEASE NOTE ANY SPECIFIC OR TIMELY FILING REQUIREMENTS

COURT RESEARCH		ON DEMAND FILINGS		COURT RUN		BASE FEE (IF APPLICABLE)	
<input type="checkbox"/> ASAP RESEARCH (Immediate)	<input type="checkbox"/> SPEC FILE (Immediate)	<input type="checkbox"/> RUSH FILE (Within 2 hrs.)	<input checked="" type="checkbox"/> SAME DAY (Filings only)*	FEE ADVANCED		CHECK NO.	
<input type="checkbox"/> SAME DAY RESEARCH (Allow full day to obtain)	<input checked="" type="checkbox"/> ASAP FILE (Within 1 hr.)	<input type="checkbox"/> REG FILE (Within 3-4 hrs.)	<input type="checkbox"/> NEXT DAY (Filings only)*	CHECK NO.		BY	
<input type="checkbox"/> NEXT DAY RESEARCH (Allow two days to obtain)				*Per agreement		FEE ADVANCED	
<input checked="" type="checkbox"/> FILE	<input type="checkbox"/> ISSUE	<input type="checkbox"/> SUBMIT	OTHER:				
<input type="checkbox"/> RESEARCH COPY REQUEST	<input type="checkbox"/> CERTIFIED COPY	<input type="checkbox"/> FORM REQUEST	Complete by:				
SPECIAL INSTRUCTIONS: CALL when filed. area						MILEAGE	
						SPECIAL RETURN	
						WAITING TIME	
						RESEARCH TIME	
						SPECIAL PICKUP	
<input type="checkbox"/> ASSIGNMENT COMPLETED						FAX	
<input checked="" type="checkbox"/> ATTY. CALLED - SPOKE WITH:						PHONE	
CALLED ON: _____ 2ND CALL _____ 3RD CALL _____							
REPORT:						TOTAL \$	
<input type="checkbox"/> Not on Register to Date							
<input type="checkbox"/> On Register. Not in File to Date							
<input type="checkbox"/> Document Missing or Misfiled							
<input type="checkbox"/> Clerk Searching							
<input type="checkbox"/> File Unavailable							
<input type="checkbox"/> In Use by Clerk							
<input type="checkbox"/> Checked Out by Another Party							
Return in: _____ Days For Completion of Assignment							
<input type="checkbox"/> CLERK WILL MAIL	DATE: _____	HANDLED BY: _____					

PLEASE REMIT PAYMENT TO LOS ANGELES OFFICE ALL ASSIGNMENTS SUBJECT TO TERMS AND CONDITIONS ON REVERSE