

1 Ethan J. Brown (SBN 218814)
ethan@bnslawgroup.com
2 Sara C. Colón (SBN 281514)
sara@bnslawgroup.com
3 **BROWN NERI & SMITH LLP**
11766 Wilshire Boulevard, Suite 1670
4 Los Angeles, California 90025
Telephone: (310) 593-9890
5 Facsimile: (310) 593-9980

6 *Attorneys for Plaintiff*
7 DOT CONNECT AFRICA TRUST
8
9

10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

12 DOTCONNECT AFRICA TRUST

13 Plaintiff,

14 v.

15 INTERNET CORPORATION FOR
16 ASSIGNED NAMES AND NUMBERS
and DOES 1 through 50, inclusive,

17 Defendants.
18
19
20
21
22

Case No. 2:16-cv-00862-RGK (JCx)

**DECLARATION OF SOPHIA
BEKELE ESHETE**

Date: June 6, 2016
Hearing: 9:00 a.m.
Courtroom: 850

[Filed concurrently: Plaintiff's
Opposition to Defendant ZA Central
Registry, NPC's Motion to
Reconsider and Vacate; Declaration
of Sara C. Colón; and Evidentiary
Objections to Declaration of
Makgabudi Lucky Masilela]

DECLARATION OF SOPHIA BEKELE ESHETE

I Sophia Bekele Eshete hereby declare as follows:

1. I am the founder and executive director of DotConnectAfrica Trust (“DCA”) and I coordinated DCA’s application for the .Africa generic Top-level Domain (“gTLD”). The matters referred to in this declaration are based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. DCA planned to execute its mission of providing a continental Internet domain name to provide access to internet services for the people of Africa by acting as the registry for the .Africa gTLD.

3. DCA does not act as the registry for any gTLDs and has not applied to act as the registry for any other gTLD.

4. If .Africa is delegated to ZACR before this case is resolved, DCA’s mission will be seriously frustrated and funders will likely pull their support due to the uncertainty involved in the re-delegation process.

5. If .Africa is delegated to ZACR before this case is resolved DCA will likely be forced to stop operating due to a lack of funding.

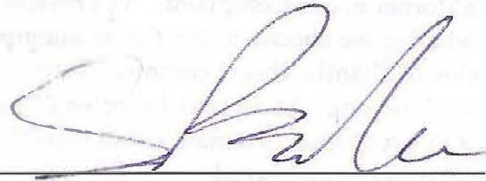
6. I have searched for examples of gTLDs being re-delegated but have been unable to find any.

7. Based on my understanding of ICANN’s rules and the requirements of a registry, if .Africa were re-delegated from ZACR to DCA, third party registrar contracts would have to be unwound. Third parties with whom ZACR contracted to provide domain names under the .Africa gTLD would have to transition technically and contractually to DCA – a process that would be costly and burdensome for all such that re-delegation is simply not viable here. Further, ZACR plans to charge more to registrars than DCA, which will create more complications in the re-delegation process.

BEKELE DECLARATION

1 8. As far as I am aware, ICANN never informed DCA that the 17
2 early warnings constituted an objection pursuant to Guidebook Section 2.2.1.4.2.

3
4 I declare under penalty of perjury under the laws of the United States of America
5 that the foregoing is true and correct. Executed on May 16, 2016 at Walnut Creek,
6 California.

7
8 

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Sophia Bekele Eshete

4825-7910-0721, v. 1

CERTIFICATE OF SERVICE

I, Ethan J. Brown, hereby declare under penalty of perjury as follows:

I am a partner at the law firm of Brown Neri & Smith, LLP, with offices at 11766 Wilshire Blvd., Los Angeles, California 90025. On May 16, 2016, I caused the foregoing **DECLARATION OF SOPHIA BEKELE ESHETE** to be electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to counsel of record.

Executed on May 16, 2016

/s/ Ethan J. Brown _____