

INDEPENDENT REVIEW PROCESS

INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION

GCCIX, W.L.L.,) ICDR CASE NO. 01-21-0004-1048
)
 Claimant,)
)
 and)
)
 INTERNET CORPORATION FOR ASSIGNED)
 NAMES AND NUMBERS,)
)
 Respondent.)
 _____)

**DECLARATION OF JEFFREY A. LEVEE
IN SUPPORT OF ICANN'S REPLY BRIEF**

I, Jeffrey A. LeVee, declare as follows:

1. I am a partner of Jones Day, counsel to the Internet Corporation for Assigned Names and Numbers ("ICANN"), Respondent in this action. I have personal knowledge of the matters set forth herein and am competent to testify as to those matters. I make this declaration in support of ICANN's Motion to Dismiss the Second Amended Request for Independent Review Process submitted by GCCIX, W.L.L. ("GCCIX") ("Motion to Dismiss") and ICANN's Reply Brief in Support of Its Motion to Dismiss ("Reply"), which is submitted concurrently with this declaration.

2. On 12 February 2024, I met by telephone with counsel for GCCIX, Mike Rodenbaugh, to discuss a proposed briefing schedule following the filing of ICANN's Motion to Dismiss on 5 February 2024. During our conversation, Mr. Rodenbaugh represented that his client, GCCIX, was obtaining an authenticated statement from the Bahraini government regarding GCCIX's legal status and abilities in the Kingdom of Bahrain. Mr. Rodenbaugh stated he would send me the authenticated and translated statement as soon as possible.

3. Immediately following our call, Mr. Rodenbaugh sent me an email which stated that GCCIX told Mr. Rodenbaugh it would be receiving “from the ministry of commerce... A statement saying regardless of the current registration status, the company is not liquidated and as such has all its rights and responsibilities including but not limited to the ability to ask for legal judgement on any issues affecting it. It’s being signed and stamped and then translated and attested by ministry of foreign affairs as authentic.” I responded to Mr. Rodenbaugh and asked if the aforementioned statement “address[ed] the notion GCCIX had been ‘deleted by law[.]’” I did not receive a response to my email. A true and correct copy of my 12 February 2024 email exchange with Mr. Rodenbaugh is attached hereto as Exhibit A.

4. On 13 February, 2024, I communicated to the Panel that the parties had agreed on a proposed briefing schedule. On 14 February 2024, Mr. Rodenbaugh responded to the Panel’s acknowledgement of the proposed schedule and stated in part, “[w]e are hoping that new information will result in ICANN withdrawing the motion to dismiss in the next week or two.” A true and correct copy of the parties correspondence with the Panel is attached hereto as Exhibit B.

5. On 19 February 2024, I wrote to Mr. Rodenbaugh via email to inquire when ICANN could expect the authenticated statement from the Bahraini Ministry of Commerce after having not received it following our discussion on 12 February 2024. A true and correct copy of my email to Mr. Rodenbaugh is attached hereto as Exhibit C. I did not receive a response to this email and have not received any statement from the Bahraini Ministry of Industry and Commerce regarding GCCIX’s rights and responsibilities in Bahrain.

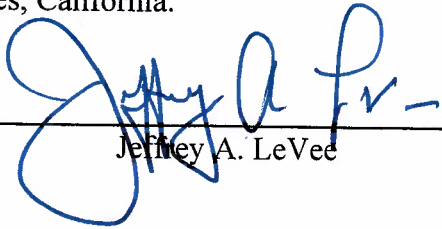
6. On 15 March 2024, GCCIX filed its Opposition to ICANN’s Motion to Dismiss Second Amended Request for Independent Review. On 18 March 2024, in response to an email from Chairman, Mr. Gary Benton, regarding GCCIX’s “intention to do business,” Mr. Rodenbaugh stated in part, “GCCIX intends to maintain its business, and is taking corrective action as to its corporate status in Bahrain.” A true and correct copy of Mr. Rodenbaugh’s email

to Mr. Benton is attached hereto as Exhibit D.

7. As of the date of this declaration, I have not received any proof of a change in GCCIX's commercial registration status or information verifying GCCIX's ability to operate the .GCC gTLD.

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

Executed this Fifth day of April 2024 in Los Angeles, California.



Jeffrey A. LeVee