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ORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG 04 2017

Howard R. Carter, Executive Officer/Clerk
By Paul Sanchez, Deputy

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8 INTERNET CORPORATION FOR
9 ASSIGNED NAMES AND NUMBERS

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

12 DOTCONNECTAFRICA TRUST,

13 Plaintiff,

14 v.

15 INTERNET CORPORATION FOR
16 ASSIGNED NAMES AND NUMBERS, *et*
17 *al.*,

18 Defendants.

CASE NO. BC607494

Assigned to Hon. Howard L. Halm

**ICANN'S EVIDENTIARY
OBJECTIONS TO DECLARATION
OF SOPHIA BEKELE ESHETE
FILED IN SUPPORT OF DCA'S
OPPOSITION TO ICANN'S MOTION
FOR SUMMARY JUDGMENT**

Date: August 9, 2017
Time: 8:30 a.m.
Dept: 53

Complaint Filed: January 20, 2016


RESERVATION ID: 170308201420

1 Defendant the Internet Corporation for Assigned Names and Numbers (“ICANN”) hereby
 2 submits the following evidentiary objections to the Declaration of Sophia Bekele Eshete (“Bekele
 3 Declaration”), filed in support of plaintiff’s Opposition to ICANN’s Motion for Summary
 4 Judgment.

OBJECTED-TO PORTION OF BEKELE DECLARATION	GROUNDS FOR OBJECTION	COURT’S RULING
<p>8 ¶ 14: “DCA would not have applied 9 for the .Africa gTLD, paid the non- 10 refundable fee, and would not have 11 spent years campaigning for the 12 endorsements and preparing an 13 application, if it had known that 14 ICANN would favor ZACR 15 throughout the process.”</p>	<p>1. Lacks Foundation (Evid. Code § 403). 2. Lacks Personal Knowledge (Evid. Code § 702). 3. Improper Opinion Testimony (Evid. Code §§ 800-803).</p> <p>Ms. Bekele fails to lay a foundation as to the source of her knowledge, or demonstrate personal knowledge, of the statement that ICANN would favor ZACR throughout the application process. Further, because it is not rationally based on her perception, this statement amounts to inadmissible opinion testimony. It also amounts to speculation inasmuch as Ms. Bekele does not provide any other information to support her statement.</p>	<p><input type="checkbox"/> Sustained <input type="checkbox"/> Overruled</p>

21 Dated: August 4, 2017

JONES DAY

23 By: 
 24 Jeffrey A. LeVee

25 Attorneys for Defendant
 26 INTERNET CORPORATION FOR
 27 ASSIGNED NAMES AND NUMBERS

1 **PROOF OF SERVICE**

2 I, Grace M. Directo, declare:

3 I am a citizen of the United States and employed in Los Angeles County, California. I am
4 over the age of eighteen years and not a party to the within-entitled action. My business address
5 is 555 South Flower Street, Fiftieth Floor, Los Angeles, California 90071.2300. On August 4,
6 2017, I served a copy of the within document(s):

7 **ICANN'S EVIDENTIARY OBJECTIONS TO DECLARATION OF
8 SOPHIA BEKELE ESHETE FILED IN SUPPORT OF DCA'S
9 OPPOSITION TO ICANN'S MOTION FOR SUMMARY JUDGMENT**

- 10 by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- 11 by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- 12 by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery.
- 13 by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- 14 by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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VIA EMAIL ONLY

VIA PERSONAL SERVICE

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on

1 motion of the party served, service is presumed invalid if postal cancellation date or postage
2 meter date is more than one day after date of deposit for mailing an affidavit.

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

5 Executed on August 4, 2017, at Los Angeles, California.

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Grace M. Directo

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