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6 Attorneys for Plaintiff C. ITOH MIDDLE  
 EAST E.C. (Bahrain), through the real  
 party in interest, NATIONAL UNION  
 7 FIRE INSURANCE COMPANY OF  
 PITTSBURGH, PA.  
 8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 10 COUNTY OF LOS ANGELES  
 11 WEST DISTRICT  
 12

13 C. ITOH MIDDLE EAST E.C. (Bahrain) )  
 14 through the real party in interest, NATIONAL )  
 UNION FIRE INSURANCE COMPANY )  
 15 OF PITTSBURGH, PA, )

Case No. SC090220

The Hon. John L. Segal

16 Plaintiff,

**PLAINTIFF'S REQUEST FOR  
 LEAVE TO FILE A SUR-REPLY IN  
 OPPOSITION TO DEFENDANTS'  
 DEMURRER AND REQUEST FOR  
 JUDICIAL NOTICE**

17 v.

18 INTERNET CORPORATION FOR )  
 19 ASSIGNED NAMES AND NUMBERS, )  
 INTERNET ASSIGNED NUMBERS )  
 20 AUTHORITY, the PEOPLE'S )  
 REPUBLIC OF THE CONGO, and THE )  
 21 CONGOLESE REDEMPTION FUND, )

Hearing: November 20, 2006  
 Time 8:30 a.m.  
 Dept.: M

Action Filed: June 28, 2006

22 Defendants.  
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1 Plaintiff C. Itoh Middle East E.C. (Bahrain), through the real party in interest  
2 National Union Fire Insurance Company of Pittsburgh, Pa. ("NUFI"), respectfully submits this  
3 request for leave to file a sur-reply in response to the Reply briefs filed by Defendants Internet  
4 Corporation for Assigned Names and Numbers and Internet Assigned Numbers Authority  
5 (collectively, "ICANN") in support of their Demurrer and Request for Judicial Notice. NUFI has  
6 lodged its proposed sur-reply with this application.

7 While NUFI is reluctant to burden the Court with more paper, it believes that there  
8 are a number of statements made by ICANN in its reply papers that are incorrect, and that the  
9 Court would benefit from the accompanying short sur-reply brief, which addresses these  
10 contentions and brings to the Court's attention additional authorities bearing on the issues raised  
11 by ICANN's reply papers.

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13 Dated: November 13, 2006

Respectfully submitted,

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17 Of Counsel:  
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PITTSBURGH, PA.

**PROOF OF SERVICE**

1  
2 I am employed in the County of Los Angeles, State of California. I am over the  
3 age of eighteen years and am not a party to this action. My business address is Sullivan &  
4 Cromwell LLP, 1888 Century Park East, Suite 2100, Los Angeles, California 90067-1725.

5 I served the below listed document(s) described as:

6 **PLAINTIFF'S REQUEST FOR LEAVE TO FILE A**  
7 **SUR-REPLY IN OPPOSITION TO DEFENDANTS'**  
8 **DEMURRER AND REQUEST FOR JUDICIAL NOTICE**

9 on November 13, 2006, on all other parties in this action by placing a true copy of the above  
10 document(s) enclosed in sealed envelopes addressed as follows:

11 **Via Facsimile & U.S. Mail**

12 Jeffrey A. LeVee  
13 Samantha S. Eisner  
14 JONES DAY  
15 555 South Flower Street, Fiftieth Floor  
16 Los Angeles, California 90071-2300

17 **Via Mail**

18 The People's Republic of the Congo  
19 Regie National Des Travaux Publics et de la Construction  
20 B.P. 2073  
21 Brazzaville  
22 Republique Populaire du Congo

23 The Congolese Redemption Fund  
24 Regie National Des Travaux Publics et de la Construction  
25 B.P. 2073  
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10 foregoing is true and correct.

11 Executed on November 13, 2006 at Los Angeles, California.

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Roberta Striplin