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8 Attorneys for Defendant
 INTERNET CORPORATION FOR
 ASSIGNED NAMES AND NUMBERS
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10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA
 12 WESTERN DIVISION
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14 DOTCONNECTAFRICA TRUST,
 15 Plaintiff,
 16 v.
 17 INTERNET CORPORATION FOR
 ASSIGNED NAMES AND
 18 NUMBERS,
 19 Defendant.
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Case No. CV 16-862-RGK (JCx)

Assigned for all purposes to the
 Honorable R. Gary Klausner

**ICANN'S NOTICE OF MOTION
 AND MOTION TO DISMISS
 FIRST AMENDED COMPLAINT**

[Memorandum of Points and
 Authorities; Request for Judicial
 Notice; and [Proposed] Order Filed
 Concurrently]

Hearing Date: April 25, 2016

Hearing Time: 9:00 a.m.

Hearing Location: Courtroom 850

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that, on April 25, 2016, at 9:00 a.m., or as soon
3 thereafter as counsel may be heard in the courtroom of the Honorable R. Gary
4 Klausner, Courtroom 850, United States District Court for the Central District of
5 California, 255 East Temple Street, defendant Internet Corporation for Assigned
6 Names and Numbers (“ICANN”) will and hereby does move to dismiss Plaintiff
7 DotConnectAfrica Trust’s First Amended Complaint (“FAC”) pursuant to Rule
8 12(b)(6) of the Federal Rules of Civil Procedure (“Motion”).

9 ICANN seek to dismiss each and every cause of action asserted in the FAC
10 for failure to state a claim. The primary basis for ICANN’s Motion is that, in the
11 very contract that plaintiff argues that ICANN has breached, Plaintiff executed a
12 release and covenant not to sue that bars each and all of Plaintiff’s claims in this
13 case.

14 Pursuant to L.R. 7-3, ICANN informed Plaintiff on March 7, 2016 that it
15 would be moving to dismiss Plaintiff’s FAC. Plaintiff’s counsel responded by
16 agreeing to ICANN’s request for a two-week extension to move to dismiss.
17 ICANN is moving to dismiss the FAC on the same basis asserted in its motion to
18 dismiss Plaintiff’s original Complaint.

19 This Motion is based on this notice of motion and motion, the accompanying
20 memorandum of points and authorities and request for judicial notice, the complaint,
21 all pleadings and papers on file in this action, and such further evidence and
22 argument as may be presented at or before the hearing on this matter.

23 Dated: March 25, 2016

JONES DAY

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By: /s/ Jeffrey A. LeVee
Jeffrey A. LeVee

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Attorneys for Defendant
INTERNET CORPORATION FOR
ASSIGNED NAMES AND NUMBERS

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NOTICE OF MOTION AND
MOTION TO DISMISS FAC

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