

1 Ethan J. Brown (SBN 218814)

ethan@bnsklaw.com

2 Sara C. Colón (SBN 281514)

sara@bnsklaw.com

3 **BROWN NERI SMITH & KHAN LLP**

4 11766 Wilshire Boulevard, Suite 1670

Los Angeles, California 90025

5 T: (310) 593-9890

6 F: (310) 593-9980

7 *Attorneys for Plaintiff*

8 DOTCONNECTAFRICA TRUST

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF LOS ANGELES**

11
12 DOTCONNECTAFRICA TRUST, a Mauritius
13 charitable trust,

14 Plaintiff,

15 v.

16
17 INTERNET CORPORATION FOR
18 ASSIGNED NAMES AND NUMBERS, a
19 California corporation; ZA Central Registry, a
20 South African non-profit company; and DOES
21 1 through 50, inclusive,

22 Defendants.

Case No. BC607494

[Assigned to Hon. Howard L. Halm]

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF JOINT REPLY TO
DEFENDANT'S AND INTERVENOR'S
OPPOSITION TO PRELIMINARY
INJUNCTION**

Date: December 22,
Hearing: 2016 8:30 a.m.
Dept.: 53

RESERVATION ID: 161115174199

1 **TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:**

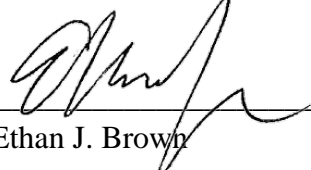
2 **PLEASE TAKE NOTICE** that on December 22, 2016, at 8:30 a.m., or as soon
3 thereafter as counsel may be heard on this matter, before the Honorable Howard L. Halm of
4 Department 53 of the above-entitled court, located at 111 N. Hill Street, Los Angeles,
5 California 90012, Plaintiff DotConnectAfrica Trust will and does request this Court take
6 judicial notice of the following material pursuant to Cal. Evid. Code § 452(d):

- 7 1. The Ninth Circuit Court of Appeal’s Order (Dkt. No. 57) dismissing the
8 consolidated appeals *DotConnectAfrica Trust v. Internet Corporation For*
9 *Assigned Names and Numbers, et al.*, Case Nos. 16-55693 and 16-55894, dated
10 December 14, 2016. A true and correct copy of the Ninth Circuit’s Order is
11 attached hereto as **Exhibit A**.

12 Judicial notice is proper pursuant to Cal. Evid. Code § 452(d) because the Order is a
13 record of the Ninth Circuit Court of Appeals. *See also Flores v. Arroyo* (1961) 56 Cal.2d 492,
14 496.

15 Dated: December 15, 2016

BROWN NERI SMITH & KHAN LLP

17 By: 
18 Ethan J. Brown

19 *Attorneys for Plaintiff*
20 DOTCONNECTAFRICA TRUST

EXHIBIT A

FILED

UNITED STATES COURT OF APPEALS

DEC 14 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DOTCONNECTAFRICA TRUST,

Plaintiff-Appellee,

v.

INTERNET CORPORATION FOR
ASSIGNED NAMES AND NUMBERS,

Defendant-Appellant.

No. 16-55693

D.C. No.

2:16-cv-00862-RGK-JC

Central District of California,
Los Angeles

ORDER

DOTCONNECTAFRICA TRUST,

Plaintiff-Appellee,

v.

INTERNET CORPORATION FOR
ASSIGNED NAMES AND NUMBERS,

Defendant,

and

ZA CENTRAL REGISTRY, a South
African non-profit company and DOES, 1
through 50, inclusive,

Defendants-Appellants.

No. 16-55894

D.C. No.

2:16-cv-00862-RGK-JC

Central District of California,
Los Angeles

Before: THOMAS, Chief Judge, LEAVY and SILVERMAN, Circuit Judges.

The court has received the unopposed motions to dismiss contained within the “memoranda regarding the district court’s lack of jurisdiction.” (Docket Entry Number 54 in 16-55693, Docket Entry No. 38 in 16-55894). The motions are granted. These appeals are dismissed.

Appellant Internet Corporation for Assigned Names and Numbers’ request that this court’s order dismissing the appeal contain language “reflecting that the preliminary injunction order is void and the appeal is moot,” is denied.

DISMISSED.