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INTERNET CORPORATION FOR ASSIGNED  
7 NAMES AND NUMBERS

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

DOTCONNECTAFRICA TRUST,  
  
Plaintiff,  
  
v.  
  
INTERNET CORPORATION FOR  
ASSIGNED NAMES AND NUMBERS, *et*  
*al.*,  
  
Defendant.

**CASE NO. BC607494**  
  
Assigned for all purposes to  
Hon. Howard L. Halm  
  
**DEFENDANT ICANN'S NOTICE OF  
MOTION AND MOTION FOR  
PROTECTIVE ORDER;  
MEMORANDUM OF POINTS AND  
AUTHORITIES**  
  
[Declaration of Amanda Pushinsky and  
[Proposed] Order Filed Concurrently  
Herewith]  
  
DATE: December 13, 2017  
TIME: 8:30 a.m.  
DEPT: 53  
  
Complaint Filed: January 20, 2016  
Bench Trial Date: February 28, 2018  
Jury Trial Date: June 20, 2018

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

2 **PLEASE TAKE NOTICE** that, on Wednesday, December 13, 2017, at 8:30 a.m., or as  
3 soon thereafter as counsel may be heard, in Department 53 of the above-entitled Court, located at  
4 111 N. Hill Street, Los Angeles, CA 90012, Defendant Internet Corporation for Assigned Names  
5 and Numbers (“ICANN”) will and hereby does move this Court for a protective order in response  
6 to the deposition notice served on October 4, 2017 by Plaintiff DotConnectAfrica Trust (“DCA”)   
7 directed to Mr. Mike Silber preventing the deposition from going forward as scheduled and  
8 relieving Mr. Silber of any obligation to produce documents.

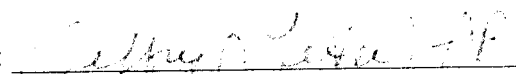
9 The motion for a protective order (“Motion”) is made pursuant to California Code of Civil  
10 Procedure § 2025.420 on the following grounds: (1) the deposition notice poses an undue burden  
11 on Mr. Silber as it seeks testimony that is irrelevant to DCA’s remaining causes of action; and (2)  
12 the deposition notice poses an undue burden on Mr. Silber insofar as it seeks documents that are  
13 cumulative and duplicative of prior discovery.

14 Counsel met and conferred with DCA’s counsel prior to filing this Motion. The parties  
15 were unable to resolve their differences regarding the deposition and the production of documents.

16 This Motion is based upon this Notice of Motion and Motion, the accompanying  
17 Memorandum of Points and Authorities, the accompanying Declaration of Amanda Pushinsky,  
18 the papers, pleadings and other records on file herein, and such further evidence and argument as  
19 may be presented to the Court.

20 Dated: November 17, 2017

Jones Day

21  
22 By:   
23 Jeffrey A. LeVee

24 Attorney for Defendant  
25 INTERNET CORPORATION FOR  
26 ASSIGNED NAMES AND NUMBERS

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION

3 On October 4, 2017, Plaintiff DotConnectAfrica Trust (“DCA”) served ICANN with a  
4 deposition notice for ICANN Board Member Mike Silber, including a request to produce  
5 documents (“Deposition Notice”). The Deposition Notice is defective on its face because it  
6 notices the deposition in Los Angeles, California, whereas Mr. Silber’s residence is in South  
7 Africa. Putting aside the obvious defect, the Deposition Notice is improper for several other  
8 reasons, and a protective order should be entered against its enforcement.

9 Mr. Silber was a member of ICANN’s Board in 2013 when it unanimously voted to accept  
10 the consensus advice of ICANN’s Governmental Advisory Committee (“GAC”) to stop  
11 processing DCA’s application for .AFRICA (a generic top level domain for which DCA applied  
12 to operate as part of ICANN’s New gTLD Program). Even if Mr. Silber had abstained, the results  
13 of the vote would have been the same. Nevertheless, DCA claims that it is seeking testimony  
14 regarding an alleged conflict of interest by Mr. Silber when this vote took place. Any such  
15 testimony is completely irrelevant to DCA’s remaining causes of action for the following reasons.

16 First, DCA made these exact same accusations *five years ago*. The allegations were  
17 investigated by an independent, neutral third party, the Ombudsman, who found no substantiation  
18 for DCA’s claims.

19 Second, even if Mr. Silber did have a conflict of interest (which he did not) at the time he  
20 voted to accept the GAC advice, the ICANN Board unanimously voted to accept the GAC advice;  
21 Mr. Silber’s individual vote was immaterial to the outcome.

22 Third, any issue caused by the 2013 vote was rendered moot when DCA challenged the  
23 Board’s vote through ICANN’s Independent Review Process (“IRP”), a mechanism by which  
24 aggrieved applicants can hold ICANN accountable for any violations of its Articles of  
25 Incorporation, Bylaws, or the Applicant Guidebook (“Guidebook”). The IRP Panel found in  
26 DCA’s favor and recommended that ICANN return DCA’s application to processing, which  
27 ICANN did, thereby remedying any alleged wrongdoing associated with the Board’s decision to  
28 stop processing DCA’s application (including any alleged conflict of interest).

1 Fourth, any testimony regarding a purported conflict of interest has no bearing on the  
2 remaining causes of action this Court did not dismiss on summary judgment, relating to DCA's  
3 claims for fraud. Whether Mr. Silber should have abstained from a single vote (an abstention that,  
4 as noted, would have had no material effect on an otherwise unanimous vote) is in no way  
5 relevant to DCA's causes of action on the narrow issue of whether ICANN engaged in fraudulent  
6 conduct in conjunction with the processing of DCA's application for .AFRICA. Other than  
7 referencing the Board's regarding DCA's .AFRICA application, DCA has never claimed that Mr.  
8 Silber has any relevance to, or knowledge of, any issue in this case.

9 DCA's Deposition Notice also contains twenty-five requests for production that are  
10 almost entirely duplicative of the extensive requests DCA has already propounded on ICANN.  
11 Indeed, Mr. Silber was one of the custodians whose documents ICANN searched, collected,  
12 reviewed, and produced in response to the nearly identical requests propounded on ICANN. As  
13 such, the new document requests are unduly burdensome, unreasonably and unnecessarily  
14 duplicative, and not likely to lead to the discovery of evidence that ICANN has not already  
15 produced.

16 Accordingly, ICANN seeks a protective order preventing the deposition from proceeding  
17 and relieving Mr. Silber of any obligation to produce documents in response.

## 18 **II. STATEMENT OF FACTS**

### 19 **A. DCA'S LAWSUIT IS LIMITED TO ITS FRAUD CLAIMS.**

20 DCA filed this lawsuit in February 2016 making a number of allegations regarding its  
21 application for .AFRICA, including breach of contract, negligence, intentional interference with  
22 contract, confirmation of the IRP award, and declaratory relief. Declaration of Amanda  
23 Pushinsky ("Pushinsky Decl.") ¶ 3. On August 9, 2017, this Court dismissed all of DCA's claims  
24 except those rooted in fraud. *Id.* In so doing, the Court essentially limited the case to one  
25 overarching question: whether ICANN committed fraud in considering DCA's application.

### 26 **B. DCA'S MOOTED CLAIM OF AN ALLEGED CONFLICT OF INTEREST.**

27 The issue for which DCA seeks to depose Mr. Silber was raised, investigated, and  
28 resolved four years before DCA filed this lawsuit. DCA and ZA Central Registry ("ZACR") both

1 applied for .AFRICA in 2012. Pushinsky Decl. ¶ 17, Ex. L at ¶ 3. In the midst of the application  
2 process, DCA made public allegations of a conflict of interest against two of ICANN’s Board  
3 Members, Mike Silber and Chris Disspain. *Id.* ¶ 4, Ex. B. In regards to Mr. Silber, DCA alleged  
4 that he was a director and member of the Management Committee of two organizations  
5 associated with DCA’s competing applicant, ZACR. *Id.*

6 DCA raised this issue with the Ombudsman, who, although appointed by ICANN, is a  
7 “neutral dispute resolution practitioner” whose “principal function ... [is] to provide an  
8 independent internal evaluation of complaints by members of the ICANN community” who  
9 believe they have been treated unfairly by ICANN Staff, the ICANN Board, or an ICANN  
10 constituent body. Pushinsky Decl. ¶ 13, Ex. H at Art. V § 5.2.<sup>1</sup> The Ombudsman investigated  
11 DCA’s allegations against Mr. Silber and not only found “no disqualifying conflict of interest,”  
12 but no “conflict of interest at all.” *Id.* ¶ 4, Ex. B; *see also id.* ¶ 5.

13 The GAC is charged with advising ICANN on “concerns of governments . . . or where  
14 they may affect public policy issues.” Pushinsky Decl. ¶ 14, Ex. I at § 3.1; *see also id.* ¶ 16, Ex.  
15 K at ¶ 5. In April 2013, the GAC issued “consensus advice” that DCA’s application should not  
16 proceed. *Id.* ¶ 15, Ex. J at ¶ 88. Under the Guidebook, if the GAC issues “consensus advice”  
17 against an application, this advice creates a “strong presumption for the ICANN Board that the  
18 application should not be approved.” *Id.* ¶ 14, Ex. I at § 3.1. Accordingly, on June 4, 2013, the  
19 ICANN Board unanimously voted to accept the GAC’s advice, which halted the processing of  
20 DCA’s application. *Id.* ¶ 15, Ex. J at ¶ 48.

21 Following the Board’s vote, DCA initiated an IRP to challenge the Board’s acceptance of  
22 the GAC advice. *Id.* ¶ 15, Ex. J at ¶ 8. After extensive document production, witness testimony,  
23 and a live hearing, the IRP Panel found in DCA’s favor. In a Declaration issued on July 9, 2015,  
24 the IRP Panel concluded that, rather than defer to the GAC’s advice, ICANN should have  
25 “investigate[d] the matter further.” *Id.* ¶ 15, Ex. J at ¶ 113. ICANN accepted the results of the

26 \_\_\_\_\_  
27 <sup>1</sup> All references to ICANN’s “Bylaws” refer to the Bylaws that were in effect on 11  
28 February 2016 and are relied upon by DCA in the FAC. An amended set of ICANN Bylaws  
became effective on 1 October 2016. The language in this section is the same among both  
versions.

1 IRP declaration, effectively nullifying the GAC's vote, and ICANN returned DCA's application  
2 to processing in accordance with the IRP Panel's recommendation. *Id.* ¶ 16, Ex. K at ¶ 12. The  
3 application then failed because DCA was unable to demonstrate that its application had the  
4 required support or non-objection of 60% of all African countries. *Id.* ¶ 17, Ex. L at ¶¶ 6, 14.

### 5 C. DCA'S DEPOSITION NOTICE

6 DCA seeks Mr. Silber's deposition, alleging that his testimony is relevant to his alleged  
7 conflict of interest, despite the fact that: (1) the ICANN Board unanimously voted against DCA's  
8 .AFRICA application, rendering Mr. Silber's vote inconsequential; (2) DCA's years-old, stale  
9 allegations of a conflict of interest were investigated and found baseless by a neutral third party;  
10 and (3) DCA's allegations related to Mr. Silber's vote have nothing to do with DCA's surviving  
11 claims.

12 On October 4, 2017, DCA served the Deposition Notice on Mr. Silber, noticing his  
13 deposition for Los Angeles, California even though he resides in South Africa, rendering the  
14 Deposition Notice defective on its face. Pushinsky Decl. ¶ 2, Ex. A. ICANN alerted DCA to the  
15 defects in the Deposition Notice and simultaneously stated its position that any testimony Mr.  
16 Silber may provide is irrelevant to DCA's remaining narrow causes of action for fraud. *Id.* ¶ 9,  
17 Ex. D. DCA purported to explain that it deemed Mr. Silber's testimony regarding an alleged  
18 conflict of interest relevant to its remaining causes of action. *Id.* ¶ 10, Ex. E. In particular, DCA  
19 alleged that Mr. Silber had a conflict of interest when he voted to accept the GAC advice because  
20 he was a member of the board of directors of a company affiliated with ZACR and a former  
21 director of ZACR. *Id.*

22 Additionally, the Deposition Notice requests that Mr. Silber produce documents  
23 responsive to twenty-five individual requests for production. *Id.* ¶ 2, Ex. A. Throughout the  
24 course of this litigation, the parties have engaged in extensive discovery efforts, including  
25 requests for production of documents, interrogatories, requests for admission, and depositions.  
26 *Id.* ¶ 6. In response to DCA's requests for production, ICANN collected, reviewed, and produced  
27 responsive non-privileged documents from a number of custodians, including Mr. Silber. *Id.* ¶ 7.  
28 The vast majority of the requests for production in the Deposition Notice are entirely duplicative

1 of those requests already propounded on ICANN and for which ICANN engaged in an extensive  
2 review process to produce responsive documents. *Id.* ¶ 8.

3 The only requests that are not entirely duplicative of, or encompassed by, requests  
4 previously served on ICANN concern topics that have no bearing whatsoever on the topics for  
5 which DCA seeks Mr. Silber's testimony, as expressed in DCA's November 1, 2017  
6 correspondence. Indeed, the three (out of twenty-five) requests for production that could  
7 conceivably fall outside the requests already propounded on ICANN seek documents pertaining  
8 to the June 4, 2012 version of the Guidebook, which has no relation whatsoever to any alleged  
9 conflict of interest by Mr. Silber (and relate to documents that ICANN would undoubtedly have  
10 as opposed to Mr. Silber).<sup>2</sup>

### 11 **III. APPLICABLE LAW**

12 Courts have the authority to grant any protective order that "justice requires" to protect a  
13 deponent against "unwarranted annoyance, embarrassment, or oppression, or undue burden and  
14 expense." Cal. Civ. Proc. Code § 2025.420(b). Courts may also issue a protective order to  
15 restrict the use of a discovery method if the "discovery sought is unreasonably cumulative or  
16 duplicative, [] is obtainable from some other source that is more convenient, less burdensome, or  
17 less expensive," or where the burden "clearly outweighs the likelihood that the information  
18 sought will lead to the discovery of admissible evidence." *See* Cal. Civ. Proc. Code  
19 §§ 2019.030(a)(1); 2017.020(a). Courts can issue protective orders "to protect any party,  
20 deponent, or other natural person or organization" by ordering that "the deposition not be taken at  
21 all"; "the deposition be taken at a different time"; "the deposition be taken at a place other than

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22 <sup>2</sup> DCA's exact requests in the Deposition Notice are as follows:

23 **REQUEST FOR PRODUCTION NO. 3:** All DOCUMENTS and  
24 COMMUNICATIONS RELATED TO the gTLD Applicant Guidebook Version 2012-06-04.

25 **REQUEST FOR PRODUCTION NO. 6:** All DOCUMENTS and  
26 COMMUNICATIONS RELATING TO the 60% rule as referred to in the gTLD Applicant  
27 Guidebook Version 2012-06-04, Section 2.2.1.4.2.

28 **REQUEST FOR PRODUCTION NO. 10:** All DOCUMENTS and  
COMMUNICATIONS by, between or among YOU, Chris Disspain, Ray Plzak, Bill Graham,  
Vika Mpisane, Fadi Chehade, or Cherine Chalaby RELATED TO DCA's .africa gTLD  
application RELATED TO the 60% rule as referred to in the gTLD Applicant Guidebook Version  
2012-06-04, Section 2.2.1.4.2.

1 that specified in the deposition notice”; and that documents “designated in the deposition notice  
2 not be produced,” among other things. Cal. Civ. Proc. Code § 2025.420(b).

3 **IV. ARGUMENT**

4 **A. DCA SEEKS TESTIMONY THAT IS IRRELEVANT TO ITS REMAINING  
5 CAUSES OF ACTION.**

6 The Court should issue a protective order to prevent Mr. Silber from having to testify at  
7 deposition on the ground that the topic for which DCA seeks his deposition bears no relevance to  
8 the remaining causes of action in this case. As stated above, a court can issue a protective order  
9 to relieve a deponent of unwarranted annoyance and undue burden, among other things. Cal. Civ.  
10 Proc. Code § 2025.420(b). Such is the case here.

11 DCA claims that it seeks Mr. Silber’s testimony regarding his alleged conflict of interest  
12 at the time of the ICANN Board vote regarding the GAC’s consensus advice against DCA’s  
13 .AFRICA application. Pushinsky Decl. ¶ 10, Ex. E. However, DCA fails to recognize that a  
14 neutral third party, the Ombudsman, investigated DCA’s allegations in late 2012, when DCA  
15 originally made accusations regarding an alleged conflict of interest, and found that no such  
16 conflict existed. *Id.* ¶ 4, Ex. B; *see also id.* ¶ 5. Further, even if DCA’s allegation was accurate  
17 (which it is not), this testimony is not relevant to any issue remaining in the case for three main  
18 reasons.

19 **First**, the ICANN Board’s vote to accept the GAC advice was unanimous. Even had Mr.  
20 Silber recused himself and abstained from the vote, or even if he had voted “no,” the result for  
21 DCA’s .AFRICA application would have been the same.

22 **Second**, any alleged violations by the ICANN Board of its Articles of Incorporation,  
23 Bylaws, or the Guidebook, in accepting the GAC’s consensus advice against DCA’s application,  
24 have been mooted by the IRP proceedings. DCA was the prevailing party in the IRP proceeding:  
25 the IRP Panel found that ICANN’s Board should have investigated further before accepting the  
26 GAC advice, and recommended that ICANN place DCA’s application back into processing,  
27 which ICANN did. Pushinsky Decl. ¶ 15, Ex. J at ¶ 113. DCA’s application proceeded through  
28 the remainder of the application process, as it would have if the GAC advice had never been



1 issued and accepted by ICANN's Board. *Id.* ¶ 16, Ex. K at ¶ 12. DCA's application ultimately  
2 failed because DCA was unable to obtain the required support or non-objection of 60% of all  
3 African countries. *Id.* ¶ 17, Ex. L at ¶ 14. Therefore, even if Mr. Silber had a conflict of interest  
4 pertaining to DCA's .AFRICA application (and irrespective that the vote was otherwise  
5 unanimous), any alleged violations pertaining to the Board's vote have been remedied by the IRP.

6 *Third*, in granting in part ICANN's motion for summary judgment, this Court has  
7 dismissed the only claims to which Mr. Silber's testimony could conceivably relate. In its  
8 August 9, 2017 ruling, the Court dismissed each of DCA's causes of action, except those rooted  
9 in fraud. Whether Mr. Silber did in fact have a conflict of interest, despite the Ombudsman's  
10 finding to the contrary, and whether that purported conflict had any effect on the ICANN Board's  
11 decision to accept the GAC advice against DCA's application, has no relevance to DCA's  
12 remaining claims for fraud. For example, DCA's claims for intentional and negligent  
13 misrepresentation are based on DCA's allegations that (1) ICANN would review DCA's  
14 application in accordance with its Bylaws, Articles of Incorporation, and Applicant Guidebook;  
15 (2) ICANN represented its Accountability Mechanisms would ensure proper due process if a  
16 dispute over DCA's application arose; (3) ICANN would participate in good faith in the IRP; and  
17 (4) all applicants for .AFRICA would be subject to the same agreement, rules, and procedures.  
18 FAC ¶¶ 74, 80. DCA's claim for fraud and conspiracy to commit fraud is based on the allegation  
19 that, in lieu of properly reviewing DCA's application, ICANN conspired to "improperly deny[]  
20 Plaintiff's application" and accepted a competing application for .AFRICA. *Id.* ¶¶ 84-85. DCA's  
21 only other remaining cause of action, for unfair competition, is based on the same underlying  
22 allegations. *Id.* ¶¶ 96-97.

23 In short, DCA's remaining claims all relate to ICANN's processing of DCA's application,  
24 ICANN's comparative processing of ZACR's application, or whether DCA was afforded due  
25 process during the IRP. Mr. Silber's proposed testimony, which as described above relates solely  
26 to the ICANN Board's vote on whether to accept the GAC consensus advice, has no relevance to  
27 any of these claims. Accordingly, this Court should grant ICANN's motion for a protective order  
28 and protect Mr. Silber from the burden and unwarranted annoyance of having to testify at a

1 deposition regarding wholly irrelevant topics.

2 **B. DCA SEEKS DOCUMENTS THAT ARE UNREASONABLY**  
3 **CUMULATIVE AND DUPLICATIVE.**

4 The Court should also issue a protective order to prevent Mr. Silber from having to  
5 respond to DCA's cumulative and duplicative requests for production. A court has the authority  
6 to prohibit discovery that is "unreasonably cumulative or duplicative" or "unduly burdensome or  
7 expensive." *See* Cal. Civ. Proc. Code § 2019.030(a)(1)–(2). Such is the case here.

8 For instance, on June 22, 2016, DCA served its Amended First Set of Requests for  
9 Production on ICANN, requesting, among other things, documents and communications related  
10 to DCA's and ZACR's .AFRICA applications. Pushinsky Decl. ¶ 6, Ex. C. Mr. Silber was a  
11 custodian for whom ICANN collected, reviewed, and produced documents if responsive and not  
12 privileged. *Id.* ¶ 7. Twenty-two of the twenty-five requests contained in the Deposition Notice  
13 served here are entirely duplicative of, or encompassed by, the requests DCA propounded on  
14 ICANN (and for which Mr. Silber was a custodian) and in response to which ICANN has  
15 produced thousands of documents. Any production in response to the Deposition Notice on  
16 behalf of Mr. Silber would be unreasonably duplicative and cumulative of efforts ICANN made  
17 to respond to the nearly identical requests.

18 Additionally, the document requests that arguably (albeit tenuously) fall outside the  
19 requests already propounded on ICANN have no relevance to, or bearing on, the topics for which  
20 DCA is seeking Mr. Silber's deposition. As stated above, during meet-and-confer discussions,  
21 DCA explained that it deemed Mr. Silber's testimony purportedly relevant to the issue of whether  
22 he had a conflict of interest when voting to accept the GAC's consensus advice against DCA's  
23 .AFRICA application (relevance that ICANN disputes, as explained above). Yet, DCA is  
24 requesting documents pertaining to the Guidebook and the "60% rule as referred to in the  
25 Applicant Guidebook," which have no bearing on any alleged conflict of interest. Accordingly,  
26 this Court should issue a protective order relieving Mr. Silber from responding to the requests for  
27 production on the grounds that the requests are either duplicative and cumulative of requests  
28 already propounded on ICANN or are unrelated to the topics for which DCA seeks his deposition.

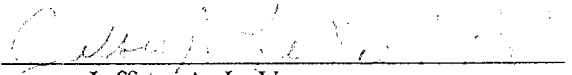
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V. CONCLUSION

For the foregoing reasons, ICANN respectfully requests that the Court grant its motion for a protective order preventing the deposition of Mr. Silber from proceeding as noticed and relieving Mr. Silber of any obligation to produce documents.

Dated: November 17, 2017

Jones Day

By:   
Jeffrey A. LeVee

Attorney for Defendant  
INTERNET CORPORATION FOR  
ASSIGNED NAMES AND NUMBERS

NAI-1503175773

1 **PROOF OF SERVICE**

2 I, Yolanda G. Ybuan, 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  
6 November 17, 2017, I served a copy of the within document(s):

7 **DEFENDANT ICANN’S NOTICE OF MOTION AND MOTION  
8 FOR PROTECTIVE ORDER; MEMORANDUM OF POINTS AND  
9 AUTHORITIES**

10 **DECLARATION OF AMANDA PUSHINSKY IN SUPPORT OF  
11 MOTION FOR PROTECTIVE ORDER**

12 **[PROPOSED] ORDER GRANTING DEFENDANT ICANN’S NOTICE OF  
13 MOTION AND MOTION FOR PROTECTIVE ORDER**

- 14  by placing the document(s) listed above in a sealed envelope with postage thereon  
15 fully prepaid, in the United States mail at Los Angeles, California addressed as set  
16 forth below.
- 17  by placing the document(s) listed above in a sealed Federal Express envelope and  
18 affixing a pre-paid air bill, and causing the envelope to be delivered to a Delivery  
19 Service agent for delivery.
- 20  by personally delivering the document(s) listed above to the person(s) at the  
21 address(es) set forth below as noted.
- 22  by transmitting via e-mail or electronic transmission the document(s) listed above  
23 to the person(s) at the e-mail address(es) set forth below.

24 Ethan J. Brown  
25 ethan@bnsklawgroup.com  
26 Sara C. Colón  
27 sara@bnsklawgroup.com  
28 Rowennakete "Kete" Barnes  
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***VIA PERSONAL SERVICE and VIA  
EMAIL***

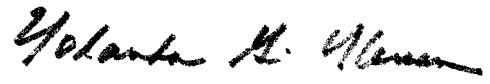
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***VIA EMAIL ONLY***

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

Executed on November 17, 2017, at Los Angeles, California.



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Yolanda G. Ybuan