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1 Kelly O. Scott (SBN 132186)  
kscott@ecjlaw.com  
2 Heather L. McCloskey (SBN 193239)  
hmccloskey@ecjlaw.com  
3 **ERVIN, COHEN & JESSUP LLP**  
9401 Wilshire Boulevard, Ninth Floor  
4 Beverly Hills, California 90212-2974  
Telephone (310) 273-6333  
5 Facsimile (310) 859-2325

6 Attorneys for REGISTERFLY.COM, INC. AND UNIFIEDNAMES, INC.

7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
10

11 THE INTERNET CORPORATION FOR )  
ASSIGNED NAMES AND NUMBERS, )  
12 Plaintiff, )  
13 v. )  
14 REGISTERFLY.COM, INC., and )  
15 UNIFIED NAMES, INC. , )  
16 Defendants. )

CASE NO. CV 07-2089 R (PLAx)  
**DECLARATION OF KEVIN  
MEDINA IN SUPPORT OF  
RESPONSE OF DEFENDANTS  
REGISTERFLY.COM, INC. AND  
UNIFIEDNAMES, INC. TO ORDER  
TO SHOW CAUSE RE FURTHER  
CONTEMPT SANCTIONS**  
Date: May 25, 2007  
Time: 10:00 a.m.  
Place: Ctrm. 8 (Hon. Manuel L. Real)

18  
19 I, Kevin Medina, declare:

20 1. I am the principal of RegisterFly.com, Inc. and UnifiedNames, Inc.,  
21 defendants in the above-referenced action. Unless otherwise stated, I have first hand  
22 personal knowledge of the facts set forth herein.

23 2. Since early March of 2007, I have endeavored to provide to ICANN all  
24 of the data that they have requested. We provided the bulk of the information on or  
25 about March 16, 2007, and have been providing updates on at least a weekly basis  
26 since that time. The most recent update was provided on May 23, 2007.

27 3. We have had numerous issues with respect to the formatting of the  
28 information transmitted to ICANN, and have experienced a great deal of delay and

1 confusion as a result of ineffective communication between myself and ICANN.  
2 However, since we have retained counsel in this matter, it appears communication is  
3 much improved and we are working on rectifying any remaining issues with  
4 formatting of the data transfers.

5 4. The formatting issues raised by ICANN which they claim render  
6 RegisterFly not in compliance with the Preliminary Injunction include the  
7 following:

8 a. Paragraph 5 of the Preliminary Injunction requires that the data  
9 transfers be in SFTP format. Initially, RegisterFly's transmissions of data were not  
10 in SFTP format. However, they now are.

11 b. Paragraph 6 of the Preliminary Injunction requires that RegisterFly  
12 perform a MD5 algorithm over each transmission. RegisterFly is unable to do so,  
13 since ICANN has not provided a "key" which is necessary to do so. We informed  
14 ICANN of this problem in March of 2007, and on March 27, 2007, we received an  
15 e-mail instructing us that it was not necessary. Attached hereto as Exhibit 1 is a true  
16 and correct copy of that e-mail.

17 c. Pursuant to Paragraph 7 of the Preliminary Injunction, RegisterFly has  
18 provided the data in a .csv file format, but ICANN claims that this particular file  
19 format has caused it problems. We have transferred the same data in the same .csv  
20 file format to the ICANN-accredited registrar who purchased RegisterFly's  
21 registrations and that entity has had no problems using the data in that format.

22 5. We are working through our new counsel to resolve all of these issues.  
23 Setting aside the formatting issues, we have now provided *all* information requested  
24 by ICANN and ordered by this Court.

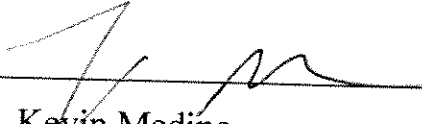
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1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct and that this was executed on the 24<sup>th</sup>  
3 day of May, 2007, at Los Angeles, California.

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7 Kevin Medina

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**EXHIBIT 1**

-----Original Message-----

From: Steve Conte

Sent: Tue, March 27, 2007 4:39 pm

To: robert.oneill@registerfly.com, kevin@unifiednames-inc.com, kevin@unifiednames.com

Cc: Kurt Pritz, John Jeffrey

Subject: SFTP Site: ICANN

Robert,

I've set up a user for one of our machines for you to sftp the data up to our site. Details as follows:

server: dev28.icann.org

user: rfly

pass: 039Gma1X

We've decided that because of the encryption of sftp, it is not necessary to pgp encrypt the file before transmission.

Please let me know if there's any issues. If you are unable to reach me, then please call Kent Crispin @ +1 310 301 5802

Thanks,

Steve

-----

Steve Conte

Chief Security Officer

ICANN

+1 310 823 9358

Direct: +1 310 301 5829

Mobile: +1 310 279 2655

steve.conte@icann.org

PGP Key ID: 0xE72D5F30

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**PROOF OF SERVICE**

STATE OF CALIFORNIA            )  
  )  
COUNTY OF LOS ANGELES        )        ss:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 9401 Wilshire Boulevard, Beverly Hills, California 90212-2974.

On May 25, 2007, I served the document described as **DECLARATION OF KEVIN MEDINA IN SUPPORT OF RESPONSE OF DEFENDANTS REGISTERFLY.COM, INC. AND UNIFIEDNAMES, INC. TO ORDER TO SHOW CAUSE RE FURTHER CONTEMPT SANCTIONS** on counsel for the parties in this action, or on the parties in propria persona, addressed as stated below:

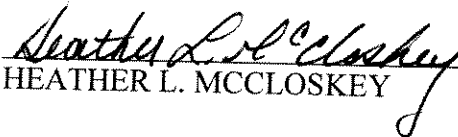
Jeffrey A. LeVee  
Samantha Eisner  
Jones Day  
555 S. Flower Street, 50<sup>th</sup> Floor  
Los Angeles, CA 90071-2300  
Tel: (213) 489-3939  
Fax: (213) 243-2539

BY HAND DELIVERY IN OPEN COURT: I caused such document to be hand delivered in open court to the parties named above.

(STATE) I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

(FEDERAL) 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 May 25, 2007 at Los Angeles, California.

  
HEATHER L. MCCLOSKEY