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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.)
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CASE NO. CV 07-2089 R (PLAx)
DECLARATION OF HEATHER L. MCCLOSKEY RE: NOTICE OF EX PARTE APPLICATION TO MODIFY INJUNCTION OR, IN THE ALTERNATIVE, TO RECONSIDER ISSUANCE OF INJUNCTION

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19 I, Heather L. McCloskey, declare:

20 1. I am an attorney at law duly licensed to practice before this Court and
21 am counsel of record herein for defendants RegisterFly.Com, Inc. and
22 UnifiedNames, Inc. Unless otherwise stated, I have personal knowledge of the facts
23 stated herein and if called as a witness could competently testify thereto.

24 2. On Thursday, May 31, 2007, I gave notice of this *ex parte* application
25 to Samantha Eisner and Jeff LeVee, counsel for ICANN, by e-mail. The notice
26 informed ICANN's counsel of the nature of this application, when and where it
27 would be filed, and that ICANN will have twenty-four (24) hours from the time the
28 application is filed to submit any opposition thereto. On Friday, June 1, 2007, I

1 informed ICANN's counsel that we would not be filing the application until
2 Monday, June 4, 2007.

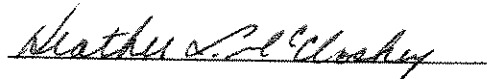
3 3. By return e-mail, Ms. Eisner informed me that ICANN intends to
4 oppose this application.

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6 I declare under penalty of perjury under the laws of the State of California
7 that the foregoing is true and correct and that this was executed on the 1st day of
8 June, 2007 at Beverly Hills, California.

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Heather L. McCloskey

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