

B302739, B305993

IN THE CALIFORNIA COURT OF APPEAL
SECOND APPELLATE DISTRICT - DIVISION 4

DotConnectAfrica Trust,
Appellant,

v.

Internet Corporation for
Assigned Names and Numbers, et al.,
Respondent.

Trial Court Case No. BC607494
On Appeal From Los Angeles County Superior Court
Honorable Robert B. Broadbelt III, Judge

**RESPONDENT'S NOTICE OF NON-OPPOSITION
AND PROPOSED BRIEFING SCHEDULE
IN RESPONSE TO APPELLANT'S
MOTION TO CONSOLIDATE**

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On June 30, 2020, Plaintiff-Appellant DotConnectAfrica Trust (“DCA”) filed a Motion to Consolidate its two appeals (Nos. B302739 and B305993), arising from the same underlying action in Los Angeles Superior Court. The first appeal, No. B302739, is from the underlying final judgment that dismissed DCA’s lawsuit against Defendant-Respondent Internet Corporation of Names and Numbers (“ICANN”) following a bench trial on ICANN’s affirmative defense of judicial estoppel (the “Merits Appeal”). The second appeal, No. B305993, is from the underlying order that granted in part and denied in part costs to ICANN and Intervenor ZA Central Registry, NPC (the “Costs Appeal”).

Had DCA conferred with ICANN before filing its Motion, as is customary in this context, this matter could have been streamlined for this Court’s consideration. Indeed, ICANN does not oppose consolidation of DCA’s two appeals as it would be most efficient for all the issues to be briefed in a single set of consolidated briefs and heard together before the same panel.

To facilitate that objective, ICANN submits that the two appeals should be briefed on the same schedule. DCA’s opening brief in the Merits Appeal is currently due on July 28, 2020. The record and clerk’s transcript for the Costs Appeal is currently being prepared and is due to be completed by September 8, 2020. ICANN proposes that: (1) DCA’s combined opening brief in both appeals be due 40 days after filing of the record in the Costs Appeal; (2) ICANN’s response in both appeals will be one combined brief

and DCA's reply will be one combined brief; and (3) the deadlines for those briefs will proceed under the applicable Rules of Court.

Dated: July 6, 2020

Respectfully submitted,

JONES DAY

By: /s/ Erica L. Reilley
Erica L. Reilley

*Attorney for Defendant-
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INTERNET CORPORATION
FOR ASSIGNED NAMES AND
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Document received by the CA 2nd District Court of Appeal.