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 11 **ZA Central Registry, NPC**

12 **UNITED STATES DISTRICT COURT**  
 13 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

14 DOTCONNECTAFRICA TRUST, a  
 15 Mauritius Charitable Trust,  
 16  
 17 Plaintiff,  
 18  
 19 v.

CASE NO. 2:16-cv-00862 RGK (JCx)  
*Assigned for all purposes to the  
 Honorable R. Gary Klausner*

20 INTERNET CORPORATION FOR  
 21 ASSIGNED NAMES AND  
 22 NUMBERS; a California corporation;  
 23 ZA Central Registry, a South African  
 24 non-profit company; DOES 1 through  
 25 50, inclusive,  
 26  
 27 Defendants.

**ZA CENTRAL REGISTRY, NPC’S  
 APPLICATION FOR LEAVE TO  
 FILE UNDER SEAL**  
 [Filed concurrently with: Declaration of  
 David W. Kesselman; Redacted Version  
 of Document Proposed to be Filed  
 Under Seal; Unredacted Version of  
 Document Proposed to be Filed Under  
 Seal; and [Proposed] Order re  
 Application for Leave to File Under  
 Seal]

1 Pursuant to Local Rule 79-5, Defendant ZA Central Registry, NPC  
2 (“ZACR”) hereby applies for leave of Court to file **Exhibit A** to the May 23, 2016  
3 Supplemental Declaration of Mokgabudi Lucky Masilela (“Masilela Supp. Decl.”),  
4 filed in support of ZACR’s Reply to Motion to Reconsider and Vacate Preliminary  
5 Injunction, under seal. **Exhibit A** is a spreadsheet prepared by ZACR’s finance  
6 section and is marked, “ATTORNEYS’ EYES ONLY.” *See* Masilela Supp. Decl.  
7 at ¶ 2. This document reflects ZACR financial information and projections relating  
8 to the costs incurred by ZACR on the .Africa project. The document further  
9 includes the estimated number of domain name registrations for the first two years  
10 after delegation, and importantly, estimated costs, revenues and net profits based  
11 on those numbers. *Id.* ¶¶ 2-3.

12 Counsel for the parties in this matter were informed of ZACR’s intent to  
13 seek leave to file Exhibit A under seal. *See* Declaration of David Kesselman In  
14 Support of Application for Leave to File Under Seal, filed concurrently herewith at  
15 ¶2, Ex. A. Specifically, counsel for the parties were advised that ZACR views the  
16 financial information relating to costs, projected revenues and net profits, as  
17 confidential and competitively sensitive. *Id.* Defendant Internet Corporation of  
18 Assigned Numbers and Names (“ICANN”) does not oppose ZACR’s application.  
19 *Id.* Plaintiff DOTCONNECTAFRICA Trust does oppose the application to seal.  
20 *Id.*

21 DCA’s opposition is not well taken. ZACR is not requesting that the overall  
22 amount of its costs and lost profits be sealed or the methodology underlying these  
23 figures (Masilela Decl. [Dkt. No. 85-3] ¶¶ 11-12; Masilela Supp. Decl. ¶2); ZACR  
24 only requests that the “backup” spreadsheet in Exhibit A be sealed - as that  
25 spreadsheet contains underlying financial cost, revenue and projection data that  
26 ZACR views as confidential and competitively sensitive. This is particularly  
27 important here because ZACR and DCA are competitors for the .Africa domain.  
28 Masilela Decl. ¶ 4. Where, as here, commercially sensitive information is at issue,

1 documents may be filed under seal. *See, e.g., Dobrosky v. Arthur J. Gallagher*  
2 *Serv. Co. LLC*, No. EDCV 13-0646 JGB (SPx), 2015 U.S. Dist. Lexis 68252 at  
3 \*11 (C.D. Cal. May 18, 2015) (stating that “‘compelling reasons’ may exist if  
4 sealing is required to prevent judicial documents from being used as sources of  
5 business information that might harm a litigant’s competitive standing.”) (internal  
6 quotations omitted).

7 ZACR respectfully requests that the Court grant the application to file  
8 Exhibit A under seal.

9  
10 DATED: May 23, 2016

Respectfully submitted,

11 KESSELMAN BRANTLY STOCKINGER LLP

12  
13 By:           /s/ David W. Kesselman            
14 David W. Kesselman  
15 Amy T. Brantly  
16 Attorneys for Defendant ZA Central  
17 Registry, NPC  
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