

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**DELL, INC.,**

**Plaintiff**

**VERSUS**

**SIGMUND J. SOLARES, et al.,**

**Defendants**

**CIVIL ACTION**

**NO: 07-2668**

**JUDGE: ZAINEY**

**MAGISTRATE JUDGE: SHUSHAN**

**AFFIDAVIT OF SIGMUND J. SOLARES**

State of New York

County of New York

**BEFORE ME**, the undersigned authority, personally came and appeared:

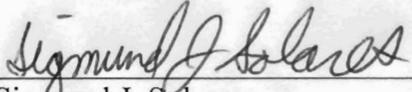
Sigmund J. Solares

a person of the full age of majority, who upon being duly sworn did depose and say as follows:

1. He is a Defendant in this action, has reviewed the Complaint, and understands that this Affidavit may be submitted in connection with this action.
2. He is the Chief Executive Officer and a member or shareholder of Defendants Intercosmos Media Group, Inc. d/b/a DirectNIC.com, Domain Contender, L.L.C., Alternative Identity, Inc. f/k/a NOLDC, Inc., and ZIPA, LLC (the “Registrar Defendants”).
3. He is not a shareholder, member, owner, officer, director or employee of any of the entities referred to in the Complaint as the “Kenyatech Monikers.”
4. None of the Registrar Defendants are affiliates of any of the “Kenyatech Monikers.”
5. The remaining shareholders or members of the Registrar Defendants are Michael Gardner, Noah Lieske, William Moore and Donny Simonton.
6. None of the shareholders, members, officers, directors or employees of the Registrar Defendants are shareholders, members, officers, directors or employees of the “Kenyatech Monikers.”
7. To the best of his knowledge and belief, the “Kenyatech Monikers” are Kenyan companies.
8. All dealings between Defendants and the “Kenyatech Monikers” concerning the domain name registrations that are referred to in the Complaint as the “Kenyatech Domains” were arms-length transactions conducted solely on-line, as is typical with Defendants’ business practices as registrars, Internet Service Providers, and providers of ancillary Internet services.

**STATE OF NEW YORK**  
**SS:**  
**COUNTY OF NEW YORK**

- 9. Defendants have not registered as a registrant, sold, purchased, loaned, pledged, owned, leased, used, licensed, been licensed to, exchanged for currency, or otherwise transferred for consideration or received in exchange for consideration the "Kenyatech Domains."
- 10. Defendants did not act under the Kenyatech Monikers as fictitious names.
- 11. Defendants placed all of the "Kenyatech Domains" as to which any of the Defendants has acted as registrar on "hold" status and offered to transfer the "Kenyatech Domains" to Plaintiff for no compensation, but Plaintiff refused to take possession of the "Kenyatech Domains."
- 12. The facts stated here are within his personal knowledge.

  
Sigmund J. Solares

**Edgar Gelabert**  
**Notary Public, State of New York**  
**No. 01GE6082297**  
**Qualified in New York County**  
**Commission Expires Oct. 21, 2010**

Sworn to and Subscribed Before Me,  
this 21st day of June, 2007.

  
NOTARY PUBLIC

My commission expires: Oct 21, 2010

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06/21/07