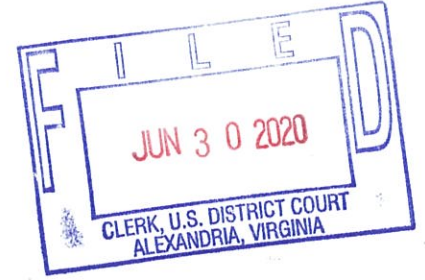


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

JOHN DOES 1-2 CONTROLLING A
COMPUTER NETWORK
THEREBY INJURING PLAINTIFF
AND ITS CUSTOMERS,

Defendants.

Civil Action No: 1:20cv730

FILED UNDER SEAL PURSUANT
TO LOCAL CIVIL RULE 5

**MICROSOFT'S *EX PARTE* APPLICATION FOR AN EMERGENCY TEMPORARY
RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY
INJUNCTION**

Plaintiff Microsoft Corporation (“Microsoft”), by counsel, pursuant to Federal Rule of Civil Procedure 65(b) and (c), the Computer Fraud and Abuse Act (18 U.S.C. § 1030), the Lanham Act (15 U.S.C. §§ 1114, 1116, & 1125), the common law, and the All Writs Act (28 U.S.C. § 1651), respectfully moves the Court for an emergency *ex parte* temporary restraining order and an order to show cause why a preliminary injunction should not issue.

As discussed in Microsoft’s brief in support of this Application, Microsoft requests an order to stop John Does 1-2 (“Defendants”) who are cybercriminals from exploiting the COVID-19 pandemic in an attempt to steal information from Microsoft customers. Specifically, Microsoft respectfully seeks an order from this Court to halt the operation and growth of an online criminal network that sends phishing emails containing deceptive messages concerning the global COVID-19 pandemic or other socially engineered lures in order to induce targeted

victims to click on malicious links in those emails. These phishing emails are designed to look like they come from an employer or other trusted source. Defendants also deceptively use Microsoft trademarks and brands in these emails in order to induce victims to click on the links.

Ex parte relief is essential. Notice to Defendants would provide them with an opportunity to destroy, move, conceal, or otherwise make inaccessible the instrumentalities they use to carry out their attacks and the evidence of their unlawful activity. Giving Defendants that opportunity would render further prosecution of this lawsuit entirely fruitless.

Microsoft's Application is based on: this Application; Microsoft's Brief In Support Of This Application; the Declarations of Peter Anaman and Matthew Welling in support of Microsoft's Application and the exhibits attached thereto; the pleadings on file in this action; and on such argument and evidence as may be presented at the hearing on this Application.

Microsoft further respectfully requests oral argument on this motion to be set for June 30, 2020 or as soon thereafter as the Court deems possible.

Dated: June 30, 2020

Respectfully submitted,



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