

**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.

**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 Stored Communications Act (18 U.S.C. § 2701 *et seq.*), the Virginia Computer Crimes Act (Virginia Code Ann. § 18.2-152.5:1), 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, and disrupt the technical malicious infrastructure of a sophisticated online criminal network that is attacking Microsoft Corporation (“Microsoft”), its Office 365 (“O365”) service, and its customers through malicious “homoglyph” domains that unlawfully impersonate legitimate Microsoft O365 customers and

their businesses. Homoglyph attacks rely on elaborate deception that leverages the similarities of character scripts to create imposter domains used to deceive unsuspecting individuals.

Defendants use malicious homoglyph domains together with stolen customer credentials to unlawfully access customer accounts, monitor customer email traffic, gather intelligence on pending financial transactions, and criminally impersonate O365 customers, all in an attempt to deceive their victims into transferring funds to the cybercriminals.

*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 Donal Keating 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 July 13, 2021 or as soon thereafter as the Court deems possible.

Dated: July 13, 2021

Respectfully submitted,



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