

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

[illegible]

MICROSOFT'S RESPONSE TO ORDER TO SHOW CAUSE AND NOTICE OF SERVICE OF COMPLAINT AND PLEADINGS

Plaintiff Microsoft Corp. (“Plaintiff”) respectfully submits this response to the Order to Show Cause (Dkt. 30) regarding service of the Complaint. On July 30, 2021, the Court granted Plaintiff a 180-day period to conduct limited discovery necessary to identify and serve the Doe Defendants (Dkt. 28). Thereafter, Plaintiff engaged substantial efforts to further identify the Defendants, to obtain additional contact information at which to serve the Complaint upon Defendants, and to further serve the Complaint upon Defendants at such contact information. As of conclusion of the Doe discovery period on January 26, 2022, Plaintiff had received the final response to subpoenas served during the Doe discovery period and was analyzing that information. Plaintiff has now exhausted all available means to obtain further information about the Defendants and has carried out substantial efforts to serve the Defendants.

Plaintiff's efforts during the Doe discovery period and Plaintiff's service of process of the Complaint upon Defendants is set forth in Plaintiff's Application for Entry of Default and

supporting Declaration of Gabriel Ramsey, filed concurrently herewith. The contents of the Application for Entry of Default and the Declaration of Gabriel Ramsey are incorporated herein by reference.

Plaintiff respectfully submits that good cause exists, for the reasons set forth in the Application for Entry of Default and the Declaration of Gabriel Ramsey, to find that the Complaint has been served upon the Defendants as authorized by this Court's orders, Federal Rule of Civil Procedure 4(f)(3) and consistent with principles of Due Process. Plaintiff certifies that, pursuant to the Court-authorized means of service set forth by the Court at Dkt. 18 (p. 6, 8) and Dkt. 27 (p. 8, 10-11), including particularly by electronic mail and publication of notice on a publicly available internet website, Plaintiff has served the Complaint and all other pleadings and orders in this case upon the Defendants. Plaintiff's steps to serve the Complaint are detailed in the Application for Entry of Default and Declaration of Gabriel Ramsey.

As set forth therein, Plaintiff has emailed to Defendants at their last known email addresses listed below and have made available to Defendants on the publicly available website noticeofpleadings.com/maliciousdomains, a summary of the complaint and demand for release, explicit and conspicuous notice to the Defendants regarding the need to appear in the case and respond to the Complaint, the deadline to respond to the Complaint, contact information of counsel for Plaintiff, and a description of the consequence of failure to appear.

Plaintiff has emailed to Defendants at their last known email addresses listed below and have made available to Defendants on the publicly available website noticeofpleadings.com/maliciousdomains, copies of the following documents:

- Complaint
- Civil Cover Sheet
- Order Granting Temporary Restraining Order
- Application for Temporary Restraining Order and Preliminary Injunction

- Brief In Support of Application for Temporary Restraining Order and Preliminary Injunction
- Proposed Order re Temporary Restraining Order and Preliminary Injunction
- Declaration of Donal Keating in Support of Application for Temporary Restraining Order and Preliminary Injunction
- Declaration of Matthew Welling in Support of Application for Temporary Restraining Order and Preliminary Injunction
- Notice of Hearing Re Application for Temporary Restraining Order and Preliminary Injunction
- Amended Notice of Hearing on Application for Temporary Restraining Order and Preliminary Injunction
- Minute Entry for TRO Hearing
- Notice of Amended Proposed Temporary Restraining Order
- Minute Entry for Temporary Restraining Order Hearing
- Notice of [Proposed] Preliminary Injunction Order
- Order Granting Preliminary Injunction
- Notice of Service of Complaint and Pleadings re Temporary Restraining Order and Preliminary Injunction
- Motion for Limited Authority to Conduct Doe Discovery
- Brief in Support of Motion for Limited Authority to Conduct Doe Discovery
- Proposed Order Re Motion for Limited Authority to Conduct Doe Discovery
- Notice of Hearing Re Motion for Limited Authority to Conduct Doe Discovery
- Order Granting Doe Discovery
- Order to Show Cause

Email Address

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Dated: February 23, 2022

Respectfully submitted,

/s/ David J. Ervin

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CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2022, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system.

Copies of the foregoing were also served on the defendants listed below by electronic mail:

John Does 1-2

c/o

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