

**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 and Thereby Injuring Plaintiff and
Its Customers,

Defendants.

Civil Action No: 1:21-cv-822 (RDA/IDD)

**MICROSOFT’S MOTION FOR
DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

Plaintiff Microsoft Corporation (“Microsoft”), by counsel, pursuant to Federal Rules of Civil Procedure 55(b)(2), 65(a) 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 of trespass to chattels and conversion, and the Court’s inherent equitable authority, respectfully moves the Court for entry of a default judgment and permanent injunction against the Defendants.

As discussed in Microsoft’s brief in support of this motion for default judgment and permanent injunction, Microsoft requests an order entering default judgment against the Defendants who have failed to answer, plead or otherwise defend this action, and a permanent injunction preventing Defendants from continuing their harmful activities by providing Microsoft control over the existing and newly discovered homoglyph domains to oversee Defendants’ compliance with the permanent injunction.

The requested relief is necessary to halt the homoglyph domain operation that is causing

irreparable injury to Microsoft and its customers through malicious activity including business email compromise attacks. Microsoft respectfully requests that the Court grant this Motion.

Dated: March 9, 2022

Respectfully submitted,

/s/ David J. Ervin

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2022, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system. Copies of the forgoing were also served on the defendants listed below by electronic mail:

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