

**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-01346 (LMB/WEF)

**NOTICE OF EXECUTION OF SECOND SUPPLEMENTAL PRELIMINARY
INJUNCTION ORDER AND NOTICE RE UNSEALING DOCUMENTS**

On August 8, 2022, Plaintiff Microsoft Corp. (“Plaintiff”) moved *ex parte* for a second supplemental preliminary injunction order pursuant to Federal Rule of Civil Procedure 65(a) and (c), the Computer Fraud and Abuse Act (18 U.S.C. § 1030), the Electronic Communications Privacy Act (18 U.S.C. § 2701), the Lanham Act (15 U.S.C. §§ 1114, 1116, & 1125), the common law, and the All Writs Act, (28 U.S.C. § 1651). On August 9, 2022, this Court granted Plaintiff’s request for a second supplemental preliminary injunction order (“Second Supplemental Order”). In connection with the Second Supplemental Order, this Court granted Plaintiff’s Motion for a Protective Order Temporarily Sealing Documents, directing that pending the execution of the Second Supplemental Order, related documents (Dkts. 48-57) be filed UNDER SEAL pursuant to Federal Rule of Civil Procedure 26(c)(1) such that they are not accessible on the Public Access to Court Electronic Records (“PACER”) website or otherwise appear on the public docket.

This Court further ordered that the above-referenced documents be unsealed immediately upon execution of the *ex parte* relief sought in the Second Supplemental Order and, to that end, ordered that Plaintiff file with the Clerk of the Court a Notice that the *ex parte* relief sought in the Second Supplemental Order had been executed such that the related documents may appear on the public docket and Plaintiff be permitted to disclose the documents in its effort to provide Defendants with notice of the Second Supplemental Order.

Accordingly, Plaintiff hereby files this Notice of Execution of Second Supplemental Preliminary Injunction Order and Notice Re Unsealing Documents and certifies that, execution having been made pursuant to this Court's Second Supplemental Order dated August 9, 2022, the above-referenced documents may be immediately unsealed such that materials previously filed UNDER SEAL be accessible on the Pacer website, appear on the public docket, and publicized and/or otherwise disseminated by Plaintiff in connection with its efforts to provide Defendants with notice of the Second Supplemental Order.

Dated: August 17, 2022

Respectfully submitted,

/s/ David J. Ervin

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Attorneys for Plaintiff Microsoft Corporation

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 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:

John Does 1-2

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Dated: August 17, 2022

Respectfully submitted,

/s/David J. Ervin

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