

**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)

**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), 53, 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, the All Writs Act, (28 U.S.C. § 1651) 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 domains associated with Defendants’ cybercrime group known as the “Nickel” group, and appointing a Court Monitor to oversee Defendants’ compliance with the permanent injunction.

The requested relief is necessary to halt the Defendants' operation that is causing irreparable injury to Microsoft and its customers. Microsoft respectfully requests that the Court grant this Motion.

Dated: August 18, 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 18, 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 18, 2022

Respectfully submitted,

/s/ David J. Ervin

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