

**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.

Civil Action No: 1:21-cv-01346 (LMB/WEF)

**FILED UNDER SEAL PURSUANT
TO LOCAL CIVIL RULE 5**

**PLAINTIFF’S MOTION FOR PROTECTIVE ORDER
TEMPORARILY SEALING DOCUMENTS**

Pursuant to Fed. R. Civ. P. 26(c)(1) and Local Civil Rule 5, Plaintiff Microsoft Corporation (“Microsoft” or “Plaintiff”) moves for all documents filed in connection with Plaintiff’s Second *Ex Parte* Motion to Supplement Preliminary Injunction Order be filed under seal. Plaintiff requests, in particular, that the following documents filed by Plaintiff in this action be temporarily sealed:

1. The Motion for Protective Order Sealing Documents and accompanying documents, including the Brief in support of the Motion;
2. The declaration of Gabriel M. Ramsey in Support of Motion for Protective Order Sealing Documents;
3. Plaintiff’s Second *Ex Parte* Motion to Supplement Preliminary Injunction Order and accompanying documents;
4. The declaration of Christopher Coy in Support of Plaintiff’s Second *Ex Parte* Motion to Supplement Preliminary Injunction and attachments thereto;
5. [Proposed] Second Supplemental Preliminary Injunction Order and accompanying documents.

6. The Second Supplemental Preliminary Injunction Order and accompanying documents and the instant requested Order sealing the foregoing documents.

Plaintiff respectfully requests that these materials be sealed pending execution of the *ex parte* relief sought in Plaintiff's Second Motion to Supplement Preliminary Injunction Order, in particular the disabling of the domain names set forth in **Appendix A** to the Second Motion to Supplement Preliminary Injunction Order. Upon execution of that *ex parte* relief, Plaintiff will file with the Clerk of the Court a Notice that the Second Supplemental Preliminary Injunction Order has been executed and upon such filing, the case would be immediately deemed unsealed, including the docket and all previously sealed documents without further action.

Plaintiff respectfully requests that should the Court decide not to grant the *ex parte* temporary relief requested in Plaintiff's Motion to Supplement Preliminary Injunction Order, that the materials be sealed indefinitely.

Dated: August 8, 2022

Respectfully submitted,

/s/ David J. Ervin

David J. Ervin (VA Bar No. 34719)

Garylene Javier (*pro hac vice*)

CROWELL & MORING LLP

1001 Pennsylvania Avenue NW

Washington DC 20004-2595

Telephone: (202) 624-2500

Fax: (202) 628-5116

dervin@crowell.com

gjavier@crowell.com

Gabriel M. Ramsey (*pro hac vice*)

CROWELL & MORING LLP

3 Embarcadero Center, 26th Floor

San Francisco, CA 94111

Tel: (415) 986-2800

Fax: (415) 986-2827

gramsey@crowell.com

Attorneys for Plaintiff Microsoft Corp.