

access to Microsoft's services and software, hack into a target's computer network, and in particular Microsoft's software, install malware on those networks giving them long-term and surreptitious access to those networks, and then locate and exfiltrate sensitive information from them.

3. I am informed and believe that, for reasons explained in detail in the declaration of Jason Lyons In Support Of Microsoft's *Ex Parte* Motion for Preliminary Injunction Order, filed contemporaneously herewith, permitting Defendants to learn of these proceedings prior to execution of the temporary *ex parte* relief sought in Microsoft's Motion For Preliminary Injunction Order—in particular the portion to disable the domains in **Appendix A** to the Complaint—would preclude Microsoft's ability to obtain effective relief against Defendants. This is because Defendants are highly sophisticated cybercriminals capable of quickly adapting the command and control infrastructure used to perpetrate Defendants' unlawful conduct in order to overcome Microsoft's remediation efforts.

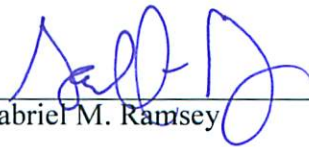
4. I am informed and believe that, absent a protective order, there is a substantial risk that Defendants will learn of these proceedings before the temporary *ex parte* relief to disable the domains in **Appendix A** to the Complaint can be effected and will take steps to evade the relief sought.

5. Over the past nine years, I, on behalf of Microsoft, have been involved with prosecuting thirteen similar cases. These cases all involved similar litigation strategies and claims and have involved John Doe defendants conducting illegal activities through identifiable but movable online command and control infrastructures similar to that used by Thallium. In several of those cases, I personally observed that Defendants also immediately took action to attempt to defy and evade the court's order as soon as they detected legal action being taken against them.

6. Thus, given Defendants' defiance of this Court's injunctive orders and my past

experience with cases with very similar circumstance as those here, it is my belief that even disclosing that Microsoft has requested a Preliminary Injunctive Order to disable the domains at **Appendix A** to the Complaint gives Defendants the opportunity to adapt the command and control infrastructure so that they can continue to perpetrate their unlawful conduct. For this reason, Microsoft respectfully requests that all documents filed in this case be temporarily sealed.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed on this 18th day of December 2019, in Washington, D.C.



Gabriel M. Ramsey