

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MICROSOFT CORP.,

Plaintiff,

v.

JOHN DOES 1-2, CONTROLLING COMPUTER
BOTNETS AND THEREBY INJURING
PLAINTIFF AND ITS CUSTOMERS,

Defendants.

Case No.

FILED UNDER SEAL

CV 20 - 1217

DeARCY HALL, J.

REYES, M.J.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAR - 5 2020 ★
BROOKLYN OFFICE

**MICROSOFT'S MOTION FOR PROTECTIVE ORDER TEMPORARILY
SEALING DOCUMENTS**

Pursuant to Fed. R. Civ. P. 26(c)(1), Plaintiff Microsoft Corporation ("Microsoft") hereby moves this Court to grant the Emergency Motion To Temporarily File Case Under Seal (the "Motion") for a protective order temporarily sealing the instant case in general, and the following documents in particular, filed by Microsoft in this action:

1. The instant Emergency Motion To Temporarily File Case Under Seal and attachments hereto;
2. The Declaration of Gabriel M. Ramsey in Support of the instant Emergency Motion To Temporarily File Case Under Seal;
3. The Application by Order to Show Cause to Temporarily Seal Case;
4. Complaint and attachments thereto, including appendices and summonses;
5. Trademark Report;
6. Pro Hac Vice Applications of Gabriel Ramsey and Richard Boscovich and accompanying documents;
7. Application for Emergency *Ex Parte* Temporary Restraining Order and Order to

- Show Cause re Preliminary Injunction and accompanying documents;
8. Brief in Support of Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause re Preliminary Injunction;
 9. The Declaration of Jason B. Lyons in Support of Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto;
 10. The Declaration of Kayvan Ghaffari in Support of Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause re Preliminary Injunction and Exhibits thereto; and
 11. [Proposed] *Ex Parte* Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction and Appendices thereto.

Microsoft respectfully requests that these materials be sealed pending execution of the *ex parte* relief sought in Microsoft's TRO Application, in particular the disabling of the domains set forth in **Appendices A and B** to the Complaint. Upon execution of that *ex parte* relief, Microsoft will file with the Clerk of the Court a Notice that the Preliminary Injunction Order has been executed and thereupon requests that all sealed documents be immediately unsealed.

Microsoft respectfully requests that should the Court decide not to grant the *ex parte* temporary relief requested in Microsoft's TRO Application, that the materials be sealed indefinitely.

Dated: March 5, 2020

Respectfully submitted,

Crowell & Moring LLP

By: _____

Kayvan M. Ghaffari

GABRIEL M. RAMSEY (*pro hac vice*
application pending)

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