

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MICROSOFT CORPORATION, a)
Washington corporation,)
)
Plaintiff,)
)
v.) Civil Action No: 1:16-cv-00993 (GBL/TCB)
)
JOHN DOES 1-2, CONTROLLING A)
COMPUTER NETWORK AND THEREBY)
INJURING PLAINTIFF AND ITS)
CUSTOMERS,)
)
Defendants.)
)
)
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)

MICROSOFT’S MOTION TO AMEND PRELIMINARY INJUNCTION ORDER

Plaintiff Microsoft Corporation (“Microsoft”), by counsel, 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 Anticybersquatting Consumer Protection Act (15 U.S.C. § 1125(d)), the common law, and the All Writs Act, (28 U.S.C. § 1651), respectfully moves the Court to amend the August 12, 2016 Preliminary Injunction Order.

As discussed in Microsoft’s brief in support of this Motion To Amend Preliminary Injunction Order and for the same reasons set forth in Microsoft’s Application for an *Ex Parte* Temporary Restraining Order and Order To Show Cause Re Preliminary Injunction (“TRO Application”), Microsoft requests an order to allowing it to supplement the list of domains in the original Appendix A to the Preliminary Injunction Order. As set forth more fully in Microsoft’s brief, since Microsoft executed the Court's TRO, Defendants have begun rebuilding Strontium's

command and control infrastructure, in defiance of the Court's authority, by bringing on line new domains, which Defendants used in the same illegal manner and for the same illegal purposes described in the TRO Application. As was the case with the majority of the domains addressed in the Court's TRO, the new domains also abuse Microsoft's trademarks and brands in order to disguise their illegal purpose. The requested relief is necessary to halt the Strontium operation that is causing irreparable injury to Microsoft and its customers. Microsoft respectfully requests that the Court grant this Motion.

Dated: August 26, 2016

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE
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/s/ Sten Jensen

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of August, 2016, 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:

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