

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

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

[PROPOSED] COURT MONITOR’S ORDER ENFORCING THE PERMANENT INJUNCTION

The Court Monitor, having considered the pleadings and declaration in support of Plaintiff Microsoft Corporation’s (“Microsoft”) Motion To Enforce And Supplement The Permanent Injunction Order orders that the terms of the Default Judgment And Order For Permanent Injunction at Docket No. __ (“Injunction”) shall apply to the domains set forth in Appendix A to this order.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having reviewed the papers, declarations, exhibits, memorandum, and all other pleadings and papers relevant to Microsoft’s request to enforce and supplement the Injunction, the Court hereby makes the following findings of fact and conclusions of law:

1. The Defendants were served with notice of the Injunction.
2. After receiving notice of the Injunction, the Defendants have continued to engage in the conduct enjoined by the Injunction, and therefore continue to violate the Injunction. In particular, the Defendants have intentionally and without authorization, continued and attempted to access and send malicious software, code, and instructions to protected computers, operating

systems, and networks of Microsoft and its customers, attacking such computers, systems and networks, and exfiltrating information from those computers, systems and networks, using new domains which include Microsoft's trademarks, using the domains at Appendix A.

3. There is good cause to believe that Defendants are likely to continue the foregoing conduct and to engage in the illegal conduct and purposes enjoined by the Injunction, using the domains at Appendix A, unless further relief is ordered to expeditiously prevent Defendants from maintaining the registration of those domains for such prohibited and unlawful purposes.

4. There is good cause to believe that, unless further relief is ordered to expeditiously prevent Defendants from maintaining the registration of the domains at Appendix A for purposes enjoined by the Injunction, on an ongoing basis, immediate and irreparable harm will result to Microsoft, Microsoft's customers and to the public, from the Defendants' ongoing violations.

5. The domains at Appendix A have been shown by Microsoft to be "Strontium Domains," pursuant to the terms of the Injunction.

6. Therefore, in accordance with Fed. R. Civ. P. 65(b) and 53(a)(1)(C), 15 U.S.C. § 1116(a) and 28 U.S.C. § 1651(a) and the court's inherent equitable authority, good cause and the interests of justice require that this Order be Granted.

INJUNCTION

IT IS THEREFORE ORDERED that, the terms of the Injunction and shall be supplemented and shall be enforced against the Defendants, Defendants' representatives, and persons who are in active concert or participation with Defendants, as follows:

1. With respect to the Strontium Domains set forth at Appendix A, where the relevant domain registry is located in the United States, the domain registry shall take the following actions:

A. Transfer the domains to the permanent control of Microsoft, such that Microsoft is the registrant with control over hosting and administration of the domain. The

domains should be transferred to Microsoft's account at the sponsoring registrar MarkMonitor or such other registrar and account details specified by Microsoft. The domains shall be made active and shall resolve in the manner set forth in this order, or as otherwise specified by Microsoft, upon taking control of the domains;

B. The domains shall be redirected to secure servers by changing the authoritative name servers to NS149.microsoftinternetsafety.net and NS150.microsoftinternetsafety.net and, as may be necessary, the IP addresses associated with name servers or taking other reasonable steps to work with Microsoft to ensure the redirection of the domains and to ensure that Defendants cannot use them to make unauthorized access to computers, infect computers, compromise computers and computer networks, monitor the owners and users of computers and computer networks, steal information from them or engage in any other activities prohibited by the Injunction;

C. The WHOIS registrant, administrative, billing and technical contact and identifying information should be the following, or other information as may be specified by Microsoft:

Domain Administrator
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052
United States
Phone: +1.4258828080
Facsimile: +1.4259367329
domains@microsoft.com

D. Prevent transfer, modification or deletion of the domains by Defendants and prevent transfer or control of the domains to the account of any party other than Microsoft;

E. Take all steps required to propagate to the foregoing changes through the Domain Name System ("DNS"), including domain registrars.

2. With respect to the Strontium Domains set forth at Appendix A, where the relevant domain registry is located outside of the United States, any such non-U.S. domain registry is respectfully requested, but is not ordered, to provide assistance to Microsoft to prevent

the Defendants' use of the domains to make unauthorized access to computers, infect computers, compromise computers and computer networks, monitor the owners and users of computers and computer networks, steal information from them or engage in any other activities prohibited by the Injunction.

IT IS SO ORDERED

Entered this ____ day of _____, ____

Court Monitor