

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MICROSOFT CORPORATION, a)
Washington corporation, FS-ISAC,)
INC., a Delaware Corporation,)
HEALTH-ISAC, INC., a Florida)
corporation,)
Plaintiffs,) Civil Action No:
v.) **FILED UNDER SEAL**
DENIS MALIKOV, and)
JOHN DOES 1-7,)
Defendants.)

**NOTICE OF HEARING RE: MOTION FOR
MOTION FOR LEAVE TO FILE EXCESS PAGES RE BRIEF IN
SUPPORT OF MICROSOFT'S APPLICATION FOR AN EMERGENCY EX
PARTE TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW
CAUSE RE: PRELIMINARY INJUNCTION**

Please take notice that should the Court find it appropriate to hear oral argument on Plaintiffs' Motion For Leave To File Excess Pages Re Brief In Support Of Microsoft's Application For An Emergency *Ex Parte* Temporary Restraining Order And Order To Show Cause Re: Preliminary Injunction, Plaintiffs respectfully requests oral argument to be set for April 18, 2022 at 10:00 a.m., or as soon as the matter may be heard.

Dated: April 4, 2022

Respectfully submitted,

/s/ Joshua D. Curry

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Attorneys for Plaintiff Microsoft Corporation

CERTIFICATION OF COMPLIANCE

Pursuant to L.R. 7.1(D), N.D. Ga., counsel for Plaintiff hereby certifies that this Motion has been prepared with one of the font and point selections approved by the Court in L.R. 5.1, N.D. Ga.

Dated: April 4, 2022

Respectfully submitted,

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MICROSOFT CORPORATION, a
Washington corporation, FS-ISAC,
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HEALTH-ISAC, INC., a Florida
corporation,

Plaintiffs,

v.

DENIS MALIKOV, and
JOHN DOES 1-7,

Defendants.

Civil Action No:

FILED UNDER SEAL

**MOTION FOR LEAVE TO EXCEED PAGE LIMITS RE: BRIEF IN
SUPPORT OF PLAINTIFFS' APPLICATION FOR AN EMERGENCY *EX
PARTE* TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW
CAUSE RE: PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 7 and Local Civil Rule 7.1(D), Plaintiffs hereby
moves for leave to exceed the page limits for Plaintiffs' Brief In Support of
Plaintiffs' Application for an Emergency *Ex Parte* Temporary Restraining Order
and Order to Show Cause Re: Preliminary Injunction.

Dated: April 4, 2022

Respectfully submitted,

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Defendants.

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**BRIEF IN SUPPORT OF MOTION FOR LEAVE TO EXCEED PAGE
LIMITS RE: BRIEF IN SUPPORT OF PLAINTIFFS’ APPLICATION FOR
AN EMERGENCY *EX PARTE* TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 7 and Local Civil Rule 7.1(D), Plaintiffs hereby moves for leave to exceed the page limits for its Brief In Support of Plaintiffs’ Application for an Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction.

Contemporaneously with the filing of this Motion, Plaintiffs are filing an Application for an Emergency *Ex Parte* Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction (the “TRO Application”). Plaintiffs’ brief in support of the TRO Application is 57 pages.

Under Local Rule 7.1(D), briefs are generally limited to 25 pages. Because of the complexity of the issue presented in this case, however, Plaintiffs cannot fully explain the factual and legal bases for its TRO Application within the 25-page limit. Accordingly, Plaintiffs respectfully requests that this Court grant leave to exceed the page limits imposed by Local Civil Rule 7.1(D). Plaintiffs are filing this Motion for Leave to Exceed Page Limits contemporaneously with the filing of their case-initiating documents and TRO Application because of the urgent nature of these proceedings, the need for emergency relief, and the importance of maintaining confidentiality regarding the relief Plaintiffs request from the Court.

The Court may, in its discretion, grant leave to a party to exceed the page limit set forth in Local Civil Rule 7.1(D) and consider the party's brief in its entirety. Here, because of the substantial public interest involved, the nature of the relief requested, and the complexity of Defendants' unlawful conduct, enlargement of the page limitation is critical to permitting Plaintiffs a full opportunity to describe the extensive technical factual predicate for its TRO Application.

Plaintiffs are submitting extensive evidence in support of its TRO Application that must be set forth in detail in the supporting brief. In particular, Plaintiffs are submitting detailed technical declarations and other evidence related to the following: (i) the tactics used by Defendants for cybercriminal operations;

(ii) the complex methodology for infecting and remotely interfering with the victim's computers; (iii) the harmful effects of Defendants' behaviors on the Plaintiffs, its members or customers, and the general public; and (iv) the irreparable harm suffered by Plaintiffs as a result of Defendants' actions. In order to fully explain the significance of this evidence, Plaintiffs require more than 25 pages of briefing.

Accordingly, given the technical issues presented in this case and the *ex parte* nature of the TRO Application, Plaintiffs respectfully request relief from Local Civil Rule 7.1(D)'s page limitation so that Plaintiffs can provide the Court with the information it needs to rule on the merits of the TRO Application.

CONCLUSION

For the reasons stated, Plaintiffs request leave to exceed the page limits set forth in Local Civil Rule 7.1(D) and asks that the Court consider Plaintiffs' brief in support of its TRO Application in its entirety.

Dated: April 4, 2022

Respectfully submitted,

/s/ Joshua D. Curry

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