

VIA FILING & E-MAIL

May 12, 2026

Hon. Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Application granted. The hearing previously scheduled for May 15, 2026 is hereby adjourned to May 22, 2026 at 12:30 p.m. It will proceed in person before Judge Abrams at the Thurgood Marshall United States Courthouse, Courtroom 1506, 40 Foley Square, New York, NY 10007 unless the parties request otherwise.

SO ORDERED.



Hon. Ronnie Abrams
May 12, 2026

Re: Microsoft v. Doe, 26-cv-03737 (RA) (SEALED CASE) – Ex Parte
Application to Extend Temporary Restraining Order pursuant to Fed. R.
Civ. P. 65(b)

Dear Judge Gardephe:

We write to provide an update on the execution of the temporary restraining order (“TRO”) the Court granted on May 8, 2026, and to request that the TRO and the Order to Show Cause (“OSC”) hearing be extended for good cause for seven days from May 15, 2026, at 10:00 a.m., to May 22, 2026, or any date thereafter that is convenient for the Court.

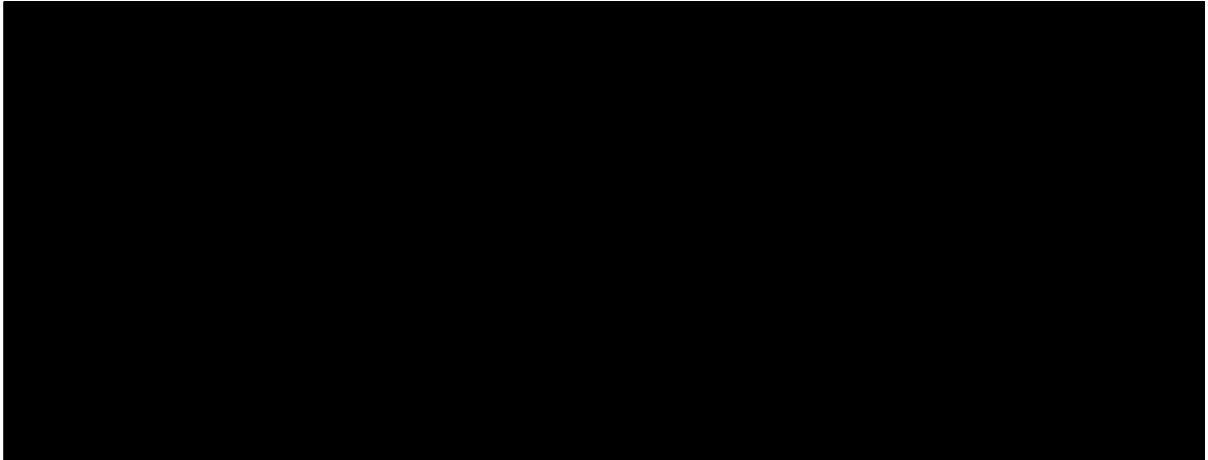
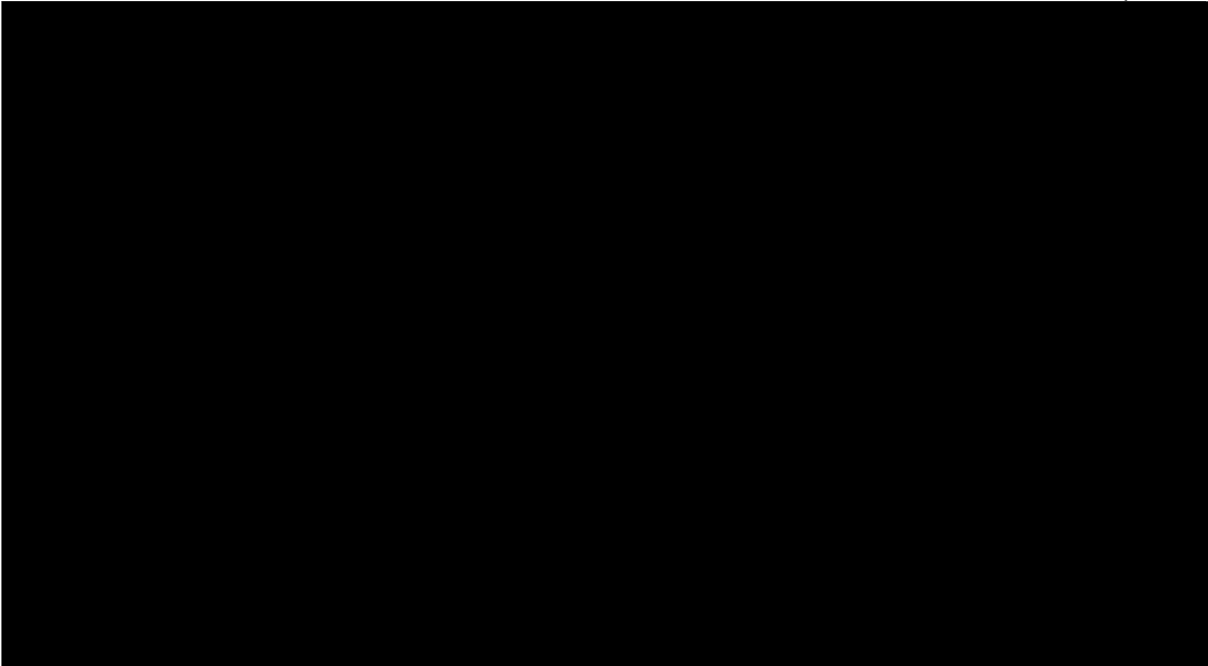
Pursuant to the Court’s Individual Rules of Practice in Civil Cases, this request for an extension is being made more than two business days prior to the scheduled deadline and “in writing in accordance with Rule I(A)[.]” Rule I(E). This is Microsoft’s first request for an extension. We have not sought the Defendants’ consent, both because notice of this sealed action is not to be provided to Defendants until such time that Microsoft has effected the relief granted by the Court’s TRO [REDACTED]

Fed. R. Civ. P. 65(b)(2) provides that a TRO “expires at the time after entry—not to exceed 14 days—that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension.” “Although the Rule does not define ‘good cause,’ the Court considers as relevant the same factors as are relevant to whether to grant a TRO in the first place.” *Herrick v. Grindr, LLC*, 2017 U.S. Dist. LEXIS 26651, at *3 (S.D.N.Y. Feb. 24, 2017). Where the Court has already concluded that the movant is entitled to a TRO, however, it may be appropriate for the Court to extend the TRO for a variety of reasons, including the complexity of service or the convenience of the parties and the Court. *See, e.g., Fox Shiver*

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LLC v. ABC Corp, 2026 U.S. Dist. LEXIS 87827, at *6 n.1 (S.D.N.Y. Apr. 8, 2026) (finding good cause to extend a TRO “for a duration of twenty-eight days because, in the Court’s experience, service in this type of case is complex and unlikely to be effectuated within fourteen days”); *R.L.E. Corp. d/b/a Casa Imports v. Ferraro Foods, Inc.*, 2015 U.S. Dist. LEXIS 40042, at *1 (N.D.N.Y. Mar. 30, 2015) (finding good cause to extend the TRO because “of the court’s unavailability to conduct the oral return on the motion” within fourteen days of granting the TRO).



Further good cause to extend the TRO exists for the reasons set forth in Microsoft’s TRO Application, because there have been no material changes to the pertinent facts since the TRO was issued. “Courts routinely find that good cause exists for an extension if the circumstances that

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supported the initial grant of the temporary restraining order” have not changed. *FTC v. Automators, LLC*, 2023 U.S. Dist. LEXIS 150791, *at 3 (S.D. Cal. Aug. 25, 2023) (collecting cases); *see also Microsoft Corp. v. Does 1-10*, No. 1:24-cv-02323-MSN-WEF (E.D. Va. Jan. 2, 2025) (Nachmanoff, J.) (Dkt. 30) (extending Microsoft’s TRO because “[t]here is good cause to believe that the Court’s prior findings of fact continue and conclusions of law continue to apply as of the time of this order”); *Microsoft Corp. v. Ogundipe*, 2025 U.S. Dist. LEXIS 184008, at *2 (S.D.N.Y. Sep. 2, 2025) (Rakoff, J.) (similar). Though Cloudzy and GoDaddy have begun disrupting Defendants’ infrastructure and turning control of the same over to Microsoft, that process is ongoing. We therefore submit that good cause supports granting an extension to effect the relief contemplated by the TRO, namely the seizure and control of Defendants’ infrastructure before they are provided notice of this action and an opportunity to delete, move, transfer, or otherwise evade disruption efforts.

Defendants will not be prejudiced by Microsoft’s requested extension. The TRO was granted on May 8, 2026, for a duration of seven days and Microsoft’s request seeks only to extend the TRO by seven days to the fourteen days contemplated by Rule 65(b) for the initial period of a TRO. *See Fed. R. Civ. P. 65(b)* (permitting fourteen days for the initial duration of a TRO and fourteen more days upon a showing of good cause). This modest extension of the TRO will not result in any deprivation to Defendants that exceeds the default time period contemplated by the Federal Rules of Civil Procedure. Moreover, Defendants are prohibited by law from carrying out the conduct enjoined by the TRO and from abusing the services of third parties Cloudzy or GoDaddy in furtherance of such conduct. As such, extending the TRO works no further legally cognizable harm to the Defendants. *See 3M Co. v. Performance Supply, LLC*, 458 F. Supp. 3d 181, 197 (S.D.N.Y. 2020) (“It would not be a ‘hardship’ for Defendant to refrain from engaging in unlawful activities.”).

For the reasons stated above, Microsoft respectfully requests that the TRO and OSC hearing re preliminary injunction be extended seven days to **May 22, 2026**, or any date thereafter that is convenient for the Court, and that Microsoft be permitted to delay service of the complaint, TRO, and notice of preliminary hearing upon Defendants **until May 19, 2026**.

Because this request relates to a matter that has been filed under seal, pursuant to the Court’s Order in 26-mc-00197 (PGG), the Court’s Individual Rule II, and the Court’s Electronic Case Filing Rule 6.14, it has likewise been filed under seal, in paper form.

Respectfully submitted,



Adam S. Hickey
Partner

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Application granted.

MICROSOFT CORPORATION, a
Washington State Corporation,

Plaintiff,

v.


John Doe 1,
John Doe 2, a/k/a SamCodeSign,
a/k/a "Fox Tempest,"

and

John Does 3–4,
a/k/a "Vanilla Tempest,"

Defendants.

SO ORDERED.


Hon. Ronnie Abrams
May 12, 2026

Civil Action No. 26 Civ. 3737

FILED UNDER SEAL

**DECLARATION OF SEAN FARRELL IN SUPPORT OF PLAINTIFF'S *EX PARTE*
APPLICATION TO EXTEND TEMPORARY RESTRAINING ORDER**

I, Sean Farrell, declare as follows:

1. I am an Assistant General Counsel with Microsoft Corporation's Digital Crimes Unit ("DCU"). I make this declaration in support of Microsoft's request to extend the *Ex Parte* Temporary Restraining Order of May 8, 2026. I make this declaration of my own personal knowledge or upon information and belief from my review of documents and evidence collected during Microsoft's investigation. If called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. I have been employed by Microsoft since September 2022. In my role with Microsoft's DCU, I work closely with investigators to bring civil legal actions and make criminal referrals against cybercriminals who abuse Microsoft platforms and services. My responsibilities include supporting the development and execution of civil disruption actions, coordinating with

law enforcement on referrals and parallel investigations, and advising on legal strategies to combat malware distribution and cybercrime-as-a-service operations. I am familiar with this matter, having coordinated the investigation of the Defendants and the development of the civil action.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

Executed May 12, 2026, in Reston, Virginia.

Sean Farrell

Sean Farrell
Assistant General Counsel, Digital Crimes Unit
Microsoft Corporation