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VIA ECF FILING

May 26, 2026

Hon. Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Microsoft v. Doe, 26-cv-03737 (RA) –Ex Parte Application to Redact and File under Seal Letter re Justification for Continued Sealing

Dear Judge Abrams:

Pursuant to the Court's direction at the Order to Show Cause Hearing on Friday, May 22, 2026, we write to provide an update regarding the justification for continued sealing of portions of the record in this case. Because that update, which is submitted under separate cover, contains information that the Court previously determined should remain under seal, *see* Endorsement entered May 15, 2026, Microsoft requests leave of the Court to file its update in redacted form and under seal.

Pursuant to the Court's Individual Rule 5.A.iii.c and Section 6 of the Court's ECF Rules and Instructions, the proposed sealed and redacted versions of the letter regarding status of continued sealing are filed contemporaneously with this letter. We have not sought the Defendants' consent to the proposed redactions, because doing so would defeat the purpose of the redactions.

Microsoft's request to redact and file under seal is consistent with the test set forth in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). The proposed redactions (which are highlighted in the proposed sealed version of the document) are narrowly tailored to protect the countervailing interests described in our May 15, 2026 letter to the Court. *See* Letter re Notice of Execution of TRO and *Ex Parte* App. to Redact and File Under Seal (May 15, 2026). Furthermore, because the proposed redactions are submitted only to provide context for the continued sealing of certain documents, the redactions themselves are incidental to the merits of this case and are therefore entitled to only a low presumption of access under *Lugosch*, which countervailing interests outweigh.

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As such, Microsoft respectfully requests leave to redact and file under seal its letter regarding the justification for continued sealing in this case.

This letter is submitted in accordance with the Court's Individual Rule 1.A.

We thank the Court for its consideration.

Respectfully submitted,

Adam S. Hickey
Partner