

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

MICROSOFT CORPORATION, a	)	
Washington corporation,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 1:17-cv-1224
v.	)	
	)	
JOHN DOES 1-2, CONTROLLING A	)	
COMPUTER NETWORK AND THEREBY	)	
INJURING PLAINTIFF AND ITS	)	
CUSTOMERS,	)	
	)	
	)	
Defendants.	)	
	)	
	)	
	)	

---

**MICROSOFT’S MOTION FOR DEFAULT JUDGMENT AND PERMANENT  
INJUNCTION**

Plaintiff Microsoft Corporation (“Microsoft”), by counsel, pursuant to Federal Rules of Civil Procedure 55(b)(2), 53, 65(a) and (c), the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, Electronic Communications Privacy Act, 18 U.S.C. § 2701, Trademark Infringement under the Lanham Act, 15 U.S.C. § 1114 et seq., False Designation of Origin under the Lanham Act, 15 U.S.C. § 1125(a), Trademark Dilution under the Lanham Act, 15 U.S.C. § 1125(c), the common law, the All Writs Act (28 U.S.C. § 1651) and the Court’s inherent equitable authority, respectfully moves the Court for entry of a default judgment and permanent injunction against John Does 1-2 (the “Defendants”).

As discussed in Microsoft’s brief in support of this motion for default judgment and permanent injunction, Microsoft requests an order entering default judgment against the Defendants who have failed to answer, plead or otherwise defend this action, and a permanent

injunction preventing Defendants from continuing their harmful activities by providing Microsoft control over the domains and command and control (C&C) profiles.

The requested relief is necessary to halt the Defendants' operation that is causing irreparable injury to Microsoft and its customers. Microsoft respectfully requests that the Court grant this Motion.

Dated: July 13, 2018

Respectfully submitted,

/s/ David Mohl \_\_\_\_\_  
David Mohl  
Va. State Bar No. 84974  
**ALSTON & BIRD LLP**  
950 F. St. NW  
Washington, DC 20004  
Tel.: (202) 239-3300  
Fax: (202) 239-3333  
Email: david.mohl@alston.com

Dated: July 13, 2018

Respectfully submitted,

/s/ Michael Zweiback \_\_\_\_\_  
Michael Zweiback  
Erin Coleman  
**ZWEIBACK Fiset & COLEMAN LLP**  
523 W. 6th Street, Suite 450  
Los Angeles, CA 90014  
Tel.: (213) 266-5170  
Fax: (213) 266-5174  
michael.zweiback@zfclaw.com  
erin.coleman@zfclaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on July 13, 2018, the foregoing was electronically filed 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:

**John Does 1-2**

pw-247357c3cac06031acfd10c17a3de697@privacyguardian.org

pw-9ac601599ef2efb03e6a219275dec3e3@privacyguardian.org

pw-877f3c900b076d2d6cc72e9f0ffa9431@privacyguardian.org

pw-4380d0683962fc036961decf2e2706ee@privacyguardian.org

pw-4ff25691f5f93d997636615c07785d57@privacyguardian.org

pw-34323988f7f7712edffc2932609bbfa0@privacyguardian.org

\_\_\_\_\_/s/ Erin Coleman\_\_\_\_\_

Erin Coleman

**ZWEIBACK Fiset & COLEMAN LLP**

523 W. 6th Street, Suite 450

Los Angeles, CA 90014

Tel.: (213) 266-5170

Fax: (213) 266-5174

erin.coleman@zfclaw.com