

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

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

JOHN DOES 1-2, CONTROLLING A
COMPUTER NETWORK AND THEREBY
INJURING PLAINTIFF AND ITS
CUSTOMERS,

Defendants.

Civil Action No.: 1:17-cv-1224

AFFIDAVIT OF SERVICE

I, Michael Zweiback, declare as follows:

1. I am an attorney admitted to practice in the State of California and the District of Columbia. I am a partner at the law firm of Zweiback, Fiset & Coleman LLP (“ZFC Law”), and was previously a partner at the law firm of Alston & Bird LLP (“Alston”). I was admitted to the Eastern District of Virginia to appear in this matter pro hac vice. I am counsel of record in this matter for plaintiff, Microsoft Corporation (“Microsoft”). I have personal knowledge of the facts set forth in this affidavit and, if called to testify as a witness, could and would testify to the following under oath.

Service By E-mail

2. On October 27, 2017, the Court authorized service of the Complaint by Internet publication, stating that “the Complaint may be served by any means authorized by law, including . . . publishing notice on a publicly available Internet website. . . .” (Dkt. 26 at p. 9.)

3. On November 2, 2017, I oversaw the service by e-mail on John Doe Defendants 1-2 (“Defendants”) attaching the Complaint, summons, TRO, and other pleadings, documents, and orders in the case. The PDF files of these documents were sent to the e-mail addresses associated with the domains used by Defendants. The following e-mail addresses used by the Defendants are:

- pw-247357c3cac06031acfd10c17a3de697@privacyguardian.org
- pw-9ac601599ef2efb03e6a219275dec3e3@privacyguardian.org
- pw-877f3c900b076d2d6cc72e9f0ffa9431@privacyguardian.org
- pw-4380d0683962fc036961decf2e2706ee@privacyguardian.org
- pw-4ff25691f5f93d997636615c07785d57@privacyguardian.org
- pw-34323988f7f7712edffc2932609bbfa0@privacyguardian.org

4. In the e-mail attaching the Complaint and summons, the following text was included:

“Plaintiff Microsoft Corporation (“Microsoft”) has sued Defendants John Does 1-2 associated with the Internet domains listed below. Microsoft alleges that Defendants have violated Federal and state law by hosting a cybercriminal operation through these Internet domains, causing unlawful intrusion into Microsoft and Microsoft’s customers’ computers and computing devices; and intellectual property violations to the injury of Microsoft and Microsoft’s customers. Microsoft seeks a preliminary injunction directing the registry associated with these Internet domains to take all steps necessary to disable access to and operation of these Internet domains to ensure that changes or access to the Internet domains cannot be made absent a court order and that all content and material associated with these Internet domains are to be isolated and preserved pending resolution of the dispute. Microsoft seeks a permanent injunction, other equitable relief and damages. Full copies of the pleading documents are available at www.noticeofpleadings.net/barium

NOTICE TO DEFENDANT: READ THESE PAPERS CAREFULLY! You must “appear” in this case or the other side will win automatically. To “appear” you must file with the court a legal document called a “motion” or “answer.” The “motion” or “answer” must be given to the court clerk or administrator within 21 days of the date of first publication specified herein. It must be in proper form and have proof of service on Microsoft’s

attorneys, Michael Zweiback at Alston & Bird LLP, 333 South Hope Street, 16th Floor, Los Angeles, CA 90071. If you have questions, you should consult with your own attorney immediately.”

5. Specifically, a hyperlink to the website www.noticeofpleadings.net/barium was included, and the pleadings, declarations, evidence, and orders filed in this action have been made available and could be accessed at such website.

6. A confirmation of delivery to the e-mail servers used in connection with the e-mail addresses associated with Defendants was received by Alston after each e-mail was sent to such addresses. A true and correct copy of the confirmation of delivery is attached hereto as **Exhibit 1.**

Service By Mail Or Personal Delivery

7. On November 9, 2017, I also oversaw the service by mail of the Complaint, the TRO, and other pleadings, declarations, orders, and other submissions in this action. The following address was provided by Defendants in the WHOIS data for Defendants:

Domain Administrator
1928 Highland Ave. Ste F104 PMB #255
Phoenix, AZ 85016
United States

8. The package was refused and returned to sender. True and correct copies of the tracking information provided by the courier are attached hereto as **Exhibit 2.**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed on this 5th day of June, 2018, in Los Angeles.



Michael Zweiback

CERTIFICATE OF SERVICE

I hereby certify that on June 5, 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


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