

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

FILED

Microsoft Corporation,

Plaintiff,

v.

Does 1-10 Operating an Azure Abuse Network,

Defendants.

2024 DEC 19 PM 3:05

Case No. _____

FILED UNDER SEAL

**DECLARATION OF ROBERT L. URIARTE IN SUPPORT OF
MOTION TO FILE DOCUMENTS UNDER SEAL**

I, Robert L. Uriarte, declare as follow:

1. I am an attorney admitted to practice in the State of California. I am a partner at the law firm of Orrick, Herrington & Sutcliffe LLP, (“Orrick”) counsel of record for Plaintiff. I make this declaration in support of Plaintiff’s Motion for a Protective Order to File Documents Under Seal. I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and would testify to the following under oath.

2. This case arises out of the harmful and malicious Internet activities of Defendants John Does 1 through 10 (collectively “Defendants”). Defendants are sophisticated cybercriminals who misuse Microsoft systems and technology for improper and illegal purposes, including the unlawful generation of harmful images using Microsoft’s Azure OpenAI Service.

3. I am informed and believe that, for reasons explained in the declarations of Maurice Mason, Jason Lyons, and Rodel Finones in support of Plaintiff’s Application for Emergency *Ex Parte* Temporary Restraining Order and Related Relief (“TRO Application”), permitting Defendants to learn of these proceedings prior to execution of the temporary *ex parte* relief sought in the TRO Application will significantly impede, if not preclude, Plaintiff’s ability to obtain

effective relief against Defendants. This is so because Defendants are highly sophisticated cybercriminals capable of quickly moving or destroying evidence and instrumentalities used to perpetrate their unlawful conduct in order to overcome Plaintiff's remediation efforts, such as the domain seizure and third party discovery Plaintiff is pursuing in this case.

4. I am informed and believe that, absent the requested sealing order, there is a substantial risk that Defendants will learn of these proceedings before the temporary *ex parte* relief sought in the TRO Application can be effectuated and will take steps to evade the relief sought. For this reason, Plaintiff respectfully requests that all documents filed in this case be sealed until the Court has an opportunity to rule on the merits of Microsoft's TRO Application.

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 19th day of December 2024, in Alexandria, Virginia



Robert Uriarte