#### IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

MICROSOFT CORPORATION Plaintiff,	) CASE NO. 1:17-CV-4566
v.	) )
JOHN DOES 1-51,	)
CONTROLLING MULTIPLE	)
COMPUTER BOTNETS	)
THEREBY INJURING	j .
MICROSOFT AND ITS	í
CUSTOMERS	)
Defendants.	)

## MICROSOFT'S MOTION FOR DEFAULT JUDGMENT AND <u>PERMANENT INJUNCTION</u>

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), the Georgia Computer Systems Protection Act (O.C.G.A. § 16-9-93), the Lanham Act (15 U.S.C. § 1114 et seq.), the Uniform Deceptive Trade Practices Act (O.C.G.A. § 10-1-372), the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. § 1962), 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 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 existing Gamarue domains.

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

Dated: May 4, 2018

Respectfully submitted,

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Erin Coleman

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### **CERTIFICATION OF COMPLIANCE**

Pursuant to L.R. 7.1(D), N.D. Ga., counsel for Plaintiff hereby certifies that this Motion has been prepared with one of the font and point selections approved by the Court in L.R. 5.1, N.D. Ga.

Dated: May 4, 2018

Respectfully submitted,

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# **CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 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:

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