

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MICROSOFT CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	Case No. <u>1:25-CV-2695-MHC</u>
)	
DOES 1-10,)	<u>FILED UNDER SEAL</u>
)	
Defendants.)	
)	
)	
)	

**APPLICATION OF MICROSOFT CORPORATION FOR AN
EMERGENCY *EX PARTE* ORDER FOR
TEMPORARY RESTRAINING ORDER,
PRELIMINARY INJUNCTION, AND RELATED RELIEF**

Plaintiff Microsoft Corporation (“Microsoft”), by counsel, pursuant to Federal Rule of Civil Procedure 65(b) and (c) as well as the Computer Fraud and Abuse Act, 18 U.S.C. § 1030 (“CFAA”); the Lanham Act (15 U.S.C. § 1125); the Copyright Act (17 U.S.C. § 101); and the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. § 1962(c)), respectfully moves the Court for an emergency *ex parte* temporary restraining order, preliminary injunction, and related relief as follows.

As discussed in Plaintiff’s brief in support of this Application, Plaintiff requests an order (1) directing Defendants, their service providers, and/or those acting in concert therewith to preserve evidence related to, and to cease from using

or permitting to be used the infrastructure identified in Microsoft's proposed TRO to operate the Lumma; (2) enjoining Defendants from further violations of the CFAA, Lanham Act, and RICO Act; and (3) directing Defendants to show cause why they should not be preliminarily enjoined from the violations of law described in Plaintiff's Brief in Support of Application of Microsoft Corporation for an Emergency *Ex Parte* Order for Temporary Restraining Order, Preliminary Injunction, and Related Relief and in Plaintiff's Complaint.

Ex parte relief – and expedited consideration under Local Rule 7.2(b) – is necessary and essential to halt Defendants' unlawful activity. If Defendants are given prior notice, they will significantly impede, if not preclude, Plaintiff's ability to obtain effective relief against Defendants. This is because Defendants are highly sophisticated cybercriminals capable of quickly adapting the command and control infrastructure used to secretly establish themselves on a victim's network.

Plaintiffs' Application is based on: (i) this Application, (ii) Plaintiff's Brief in Support of this Application, (iii) the declarations of Jakub Tomanek, Derek Richardson, Igor Aronov, Rodelio Finones, and Robert Uriarte in support of this Application, and (iv) on such arguments and evidence as may be presented at any hearing on this Application.

Plaintiff further respectfully requests oral argument on this motion to be set for May 14, 2025 or as soon thereafter as the Court deems possible.

Dated: May 14, 2025

Respectfully submitted,

/s/ Joshua D. Curry

Joshua D. Curry

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), N.D. Ga., counsel for Plaintiffs hereby certifies that this Application 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 14, 2025

/s/ Joshua D. Curry