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Attorneys for Plaintiffs  
MICROSOFT CORPORATION,  
FS-ISAC, INC. and NATIONAL AUTOMATED  
CLEARING HOUSE ASSOCIATION

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MICROSOFT CORP., FS-ISAC, INC., and  
NATIONAL AUTOMATED CLEARING HOUSE  
ASSOCIATION,

Plaintiffs

v.

JOHN DOES 1-39 D/B/A Slavik, Monstr, IOO,  
Nu11, nvidiag, zebra7753, lexa\_Mef, gss, iceIX,  
Harderman, Gribodemon, Aqua, aquaSecond, it,  
percent, cp01, hct, xman, Pepsi, miami, miamibc,  
petr0vich, Mr. ICQ, Tank, tankist, Kusunagi,  
Noname, Lucky, Bashorg, Indep, Mask, Enx,  
Benny, Bentley, Denis Lubimov, MaDaGaSka,  
Vkontake, rfcid, parik, reronic, Daniel, bx1, Daniel  
Hamza, Danielbx1, jah, Jonni, jtk, D frank, duo,  
Admin2010, h4x0rdz, Donsft, mary.J555,  
susanneon, kainehave, virus\_e\_2003, spanishp,  
sere.bro, muddem, mechan1zm, vlad.dimitrov,  
jheto2002, sector.exploits AND JabberZeus Crew,  
AND YEVHEN KULIBABA AND YURIY  
KONOVALENKO, CONTROLLING COMPUTER  
BOTNETS THEREBY INJURING PLAINTIFFS,  
AND THEIR CUSTOMERS AND MEMBERS,

Defendants.

Hon. Sterling Johnson, Jr.

Case No. 12-cv-01335 (SJ/RLM)

**NOTICE OF MOTION  
FOR DEFAULT JUDGMENT  
AND PERMANENT INJUNCTION**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2, plaintiffs Microsoft Corporation, FS-ISAC, Inc., and the National Automated Clearing House Association (collectively, "Plaintiffs") hereby move for an Order granting Plaintiffs Default Judgment and Permanent Injunction against the John Does 1-21, 25-35, and 37-39 ("Defendants") named in this lawsuit in connection with Plaintiffs' claims for relief pursuant to 18 U.S.C. § 1030, 15 U.S.C. § 7704, 18 U.S.C. § 2701, 15 U.S.C. § 1114, 15 U.S.C. § 1125(a), 15 U.S.C. § 1125(c), 18 U.S.C. § 1962(c), and the common law of unjust enrichment, trespass to chattels, and conversion.

The relief sought by Plaintiffs is made upon this Notice, the accompanying Motion for Default Judgment and Permanent Injunction against Defendants, and the Proposed Order for Permanent Injunction filed herewith, along with all pleadings and papers previously filed in connection with this matter.

Dated: November 28, 2012  
New York, New York

Respectfully Submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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