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U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

Gabriel M. Ramsey
(*pro hac vice application pending*)
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Attorneys for Plaintiffs
MICROSOFT CORPORATION,
FS-ISAC, INC. and NATIONAL AUTOMATED
CLEARING HOUSE ASSOCIATION

CV 12-1335

**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, Veggi Roma, D
frank, duo, Admin2010, h4x0rdz, Donsft,
mary.J555, susanneon, kainehave, virus_e_2003,
spaishp, sere.bro, muddem, mechanlzm,
vlad.dimitrov, jheto2002, sector.exploits AND
JabberZeus Crew CONTROLLING COMPUTER
BOTNETS THEREBY INJURING PLAINTIFFS,
AND THEIR CUSTOMERS AND MEMBERS,

Defendants.

Case No. 12: CIV _____

FILED UNDER SEAL

KORMAN, J.

MANN, M.J.

[PROPOSED] ORDER TEMPORARILY SEALING COURT FILE

This matter came before the Court on the Motion of Plaintiffs Microsoft Corporation (“Microsoft”), the National Automated Clearing House Association (“NACHA”), and FS-ISAC, Inc. (collectively, “Plaintiffs”) to allow the filing under seal of documents filed by Plaintiffs.

Upon consideration of Plaintiffs’ Motion, the pleadings filed herein, the arguments of counsel, and the Court having considered the arguments as set forth by Plaintiffs and the supporting authority, it is hereby:

ORDERED that the instant case and the following documents be filed and maintained UNDER SEAL, such that it is not accessible on the Public Access to Court Electronic Records (“PACER”) website or otherwise appear on the public docket, in accordance with Federal Rule of Civil Procedure 26(c)(1) pending execution of both the execution of the temporary restraining order and seizure order sought in Plaintiffs’ Application for Emergency Temporary Restraining Order, Seizure Order And Order to Show Cause Re Preliminary filed by Plaintiffs in this matter on March 19, 2012:

1. Complaint;
2. Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction;
3. Brief In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction;
4. Declaration of Mark Debenham In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and Exhibits hereto;
5. Declaration of Pamela Moore In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and the Exhibits hereto;


6. Declaration of William B. Nelson In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and Exhibits hereto;
7. Declaration of Jesse D. Kornblum In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and Exhibits hereto;
8. Declaration of William Johnson In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and Exhibits hereto; and
9. Declaration of Jacob M. Heath In Support Of Application For An Emergency Temporary Restraining Order, Seizure Order And Order To Show Cause Re Preliminary Injunction and Exhibits hereto.

IT IS FURTHER ORDERED that, immediately upon execution of the temporary restraining order and seizure order sought by Plaintiffs in the Application for TRO, the instant case shall be unsealed and the foregoing documents shall be filed in the public docket.

IT IS FURTHER ORDERED that Plaintiffs, upon execution of the *ex parte* relief and seizure sought in the Application for TRO, shall file with the Clerk of the Court a Notice that the temporary restraining order and seizure order have been executed, and shall be permitted to disclose such material as is deemed necessary, including in order to commence their efforts to provide Defendants notice of the preliminary injunction hearing and service of the Complaint by publication and other means.

IT IS SO ORDERED

Entered this 19th day of March, 2012.


UNITED STATES DISTRICT COURT JUDGE