

# **Exhibit 6**

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

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MICROSOFT CORPORATION, :  
: :  
Plaintiff, : **Case No. 23-cv-10685**  
-against- :  
: :  
DUONG DINH TU, :  
LINH VAN NGUYEN, and :  
TAI VAN NGUYEN, :  
: :  
Defendants. :  
-----X

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**DECLARATION OF JASON ROZBRUCH REGARDING SERVICE ON DEFENDANTS  
OF THE PRELIMINARY INJUNCTION ORDER**

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I, Jason Rozbruch, declare as follows:

1. I am an attorney with the law firm of Cahill Gordon & Reindel LLP (“Cahill”) and am counsel for Plaintiff Microsoft Corporation (“Microsoft”) in the above-captioned action. As instructed by this Court (ECF No. 24), I make this declaration to attest to the manner and timing of Microsoft’s service on Defendants of the Preliminary Injunction Order entered in this action on December 20, 2023 (ECF No. 23). Unless otherwise noted, the facts set forth below are based on my personal knowledge.

2. In its letter to this Court dated December 18, 2023, Microsoft set forth four methods by which it would effectuate service of any Preliminary Injunction Order entered in this action—by (1) email, (2) publication, (3) registered mail, and (4) personal service. See ECF No. 20 at 2–3. Microsoft has effectuated or attempted service by each such method, as follows.

3. Email: On December 20, 2023, Cahill emailed the Preliminary Injunction Order to Defendants at the following email addresses: duongdinhtu93@gmail.com,

duongdinhtu93@outlook.com, 17021195@vnu.edu.vn, nguyenlinh.uet@gmail.com, nvt.kscntt@gmail.com, and daukho1112@gmail.com.

- a. On December 20, 2023, Cahill received an automated return email stating that the emails sent to nguyenlinh.uet@gmail.com, nvt.kscntt@gmail.com, and daukho1112@gmail.com were “rejected” because those email addresses “couldn’t be found.”
- b. Upon information and belief, at a time between December 13, 2023—when Cahill served the Temporary Restraining Order (“TRO”), Complaint, TRO Motion, and Memorandum of Law and Declarations in Support Thereof by email to the same email addresses, but did not receive any such automated return email—and December 20, 2023, Defendants disabled the nguyenlinh.uet@gmail.com, nvt.kscntt@gmail.com, and daukho1112@gmail.com email addresses. This would explain why Cahill received the automated return email on December 20, 2023, but not on December 13, 2023.

4. Publication: On December 21, 2023, Microsoft published the Preliminary Injunction Order on the publicly-available webpage, <https://dcu-noticeofpleadings.azurewebsites.net/>, a link to which will be provided for at least the next six months to anyone that visits Defendants’ illicit websites, 1stcaptcha.com, Anycaptcha.com, Nonecaptcha.com, and Hotmailbox.me.

5. Registered Mail: On December 20, 2023, Microsoft transmitted the Preliminary Injunction Order via Federal Express to Defendant Duong Dinh Tu at Can ho C18.08 Sai Gon Avenue, so 11, Tam Binh, Thu Duc, Ho Chi Minh, Vietnam, 700000. Microsoft has since learned

from Federal Express that the registered mail package was refused by the front desk of the apartment building located at that address. I spoke with a Federal Express representative who told me that Federal Express was not provided with a reason for why the package was refused, and that, in the representative's experience, this refusal means the physical address is not a correct address for the recipient (here, Defendant Tu).

6. Personal Service: Microsoft had planned to deliver the Preliminary Injunction Order, TRO, Complaint, TRO Motion, and Memorandum of Law and Declarations in Support Thereof to Defendant Tu at the above-referenced physical address. In light of this development regarding the insufficiency of that physical address (i.e., that it is not a correct address for Defendant Tu), Microsoft no longer plans to undertake the costly burden of translating and delivering the above-referenced documents by personal service to Defendant Tu. Microsoft had planned to do so in part to satisfy the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the "Convention"), of which Vietnam is a member. However, under Article 1 of the Convention, the Convention "shall not apply where the address of the person to be served with the document is not known."

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed on this 5th day of January, 2024 in Philadelphia, Pennsylvania.

/s/ Jason Rozbruch  
Jason Rozbruch