

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, : REQUEST TO FILE UNDER SEAL
 :
 Defendants. :
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~~PROPOSED~~ ^{of} EX PARTE ORDER FOR
SUPPLEMENTAL PRELIMINARY INJUNCTION

Having reviewed the papers, declarations, exhibits, and memorandum filed in support of Plaintiff's request for an *ex parte* order for supplemental preliminary injunction, the Court hereby determines that Defendants have violated this Court's Preliminary Injunction Order (ECF No. 23), and enters the following *ex parte* supplemental preliminary injunction order.

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court hereby makes the following findings of fact and conclusions of law:

1. The Defendants were served with the Preliminary Injunction Order via the alternative service methods previously authorized by the Court.
2. After receiving notice of the Preliminary Injunction Order, the Defendants have continued to engage in the conduct enjoined by the Preliminary Injunction Order, and therefore continue to violate the Preliminary Injunction Order. In particular, using the new Internet domain set forth in **Appendix A** to this Order, Defendants have intentionally and without authorization continued to sell tools for fraudulently obtaining Microsoft accounts and other criminal services.

3. There is good cause to believe that Defendants are likely to continue conduct enjoined by the Preliminary Injunction Order, unless further relief is ordered to prevent Defendants from maintaining the domain for such prohibited and unlawful purposes.

4. There is good cause to believe that, unless further relief is ordered to prevent Defendants from maintaining the domain, immediate and irreparable harm will result to Plaintiffs, their customers, and to the public, from the Defendants' ongoing violations.

5. Therefore, in accordance with Federal Rule of Civil Procedure 65, 15 U.S.C. § 1116(d), 28 U.S.C. § 1651(a), and the Court's inherent equitable authority, good cause and the interests of justice require that this Order be granted.

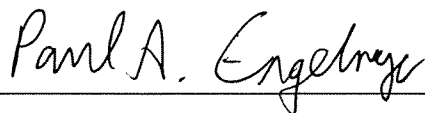
II. SUPPLEMENTAL PRELIMINARY INJUNCTION

IT IS THEREFORE ORDERED that the terms of the Preliminary Injunction Order shall be supplemented to provide, pursuant to the All Writs Act, that: (i) VeriSign, Inc., the registry operator for .com domain names, shall change the registrar of record for the Internet domain set forth in **Appendix A** to Plaintiff's registrar of choice, MarkMonitor, Inc., which will then change the registrant of the domain to Plaintiff, and VeriSign, Inc. shall take reasonable steps to work with Plaintiff to ensure the transfer of the domain; and (ii) Vultr, the hosting service provider for the Internet domain set forth in **Appendix A**, shall disable all services provided thereto.

IT IS FURTHER ORDERED that copies of this Order may be served on Defendants by the email and publication alternative service methods previously authorized by this Court.

IT IS SO ORDERED

Entered this 23rd day of July, 2024.



Hon. Paul A. Engelmayer

Appendix A

Results for: Rockcaptcha.com

Download Whois Result

Record Source: Rockcaptcha.com

Created: 2024-01-18 08:45:13 UTC

Expiration: 2025-01-18 08:45:13 UTC

Last Updated: 2024-01-18 08:52:39 UTC

Registrar: GMO Internet Group, Inc. d/b/a Onamae.com

Registrar IANA ID: 49

Registrar URL: <http://www.onamae.com>

Registrar Abuse Contact Email: abuse@gmo.jp

Registrar Abuse Contact Phone: +81.337709199

Registrant Name: Domain Admin

Registrant Organization: Privacy Protect LLC PrivacyProtect org

Registrant Street: 10 Corporate Drive

Registrant City: Burlington

Registrant State/Province: MA

Registrant Postal Code: 01803

Registrant Country: US

Registrant Phone: +1.8022274003

Admin Name: Domain Admin

Admin Organization: Privacy Protect LLC PrivacyProtect org

Admin Street: 10 Corporate Drive

Admin City: Burlington

Admin State/Province: MA

Admin Postal Code: 01803

Admin Country: US

Admin Phone: +1.8022274003

Tech Organization: Privacy Protect LLC PrivacyProtect org

Tech Street: 10 Corporate Drive

Tech City: Burlington

Tech State/Province: MA

Tech Postal Code: 01803

Tech Phone: +1.8022274003

Name Server: zelda.ns.cloudflare.com

Name Server: tosana.ns.cloudflare.com